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[Patent office/ correspondence, 1814-1836]

Department of State

Patent Office 21st Decr 1822

Sir,

In obedience to the resolutions of Congress of the 16th of 1st Feb last, requiring information through you, "whether any of the Officers in the Department of State are engaged in other pursuits or professions in any wise relating to the public services," I have the honor to observe, that when first commissioned by President Washington, 28 years ago, I had a salary of \$1600; & being a member of the Board of Commissioners, I could visit my Farm occasionally, for days or even weeks, without injury to the Public Service; but since that Board was dissolved, my Duties as Superintendent of the Patent Office became so urgent as to induce one of your Predecessors to engage that my salary should be \$2000 per annum, which, however, I never received but one year. These Duties have constantly been increasing, till they require such incessant attention that I have not been able to visit my Farm above twice a year for a few hours each time; & instead of my Farm aiding now in supporting me, I am obliged to support my Farm; & I cannot resort to my Medical Profession, nor to any other, because it would interfere with my public Duties; from which I have scarcely absented myself for two days during several years past.

As I am confident that the Justice of Congress dictates this Enquiry, I am in hopes that the result may lead to the benefit of those who have honestly performed their Duties, & that my salary will not be paid according to the increase of my Duties, but that I may be paid what was promised for my services, & which in honor ought to be paid.

I am, Sir, with the highest respect &

Honorable John Quincy Adams,

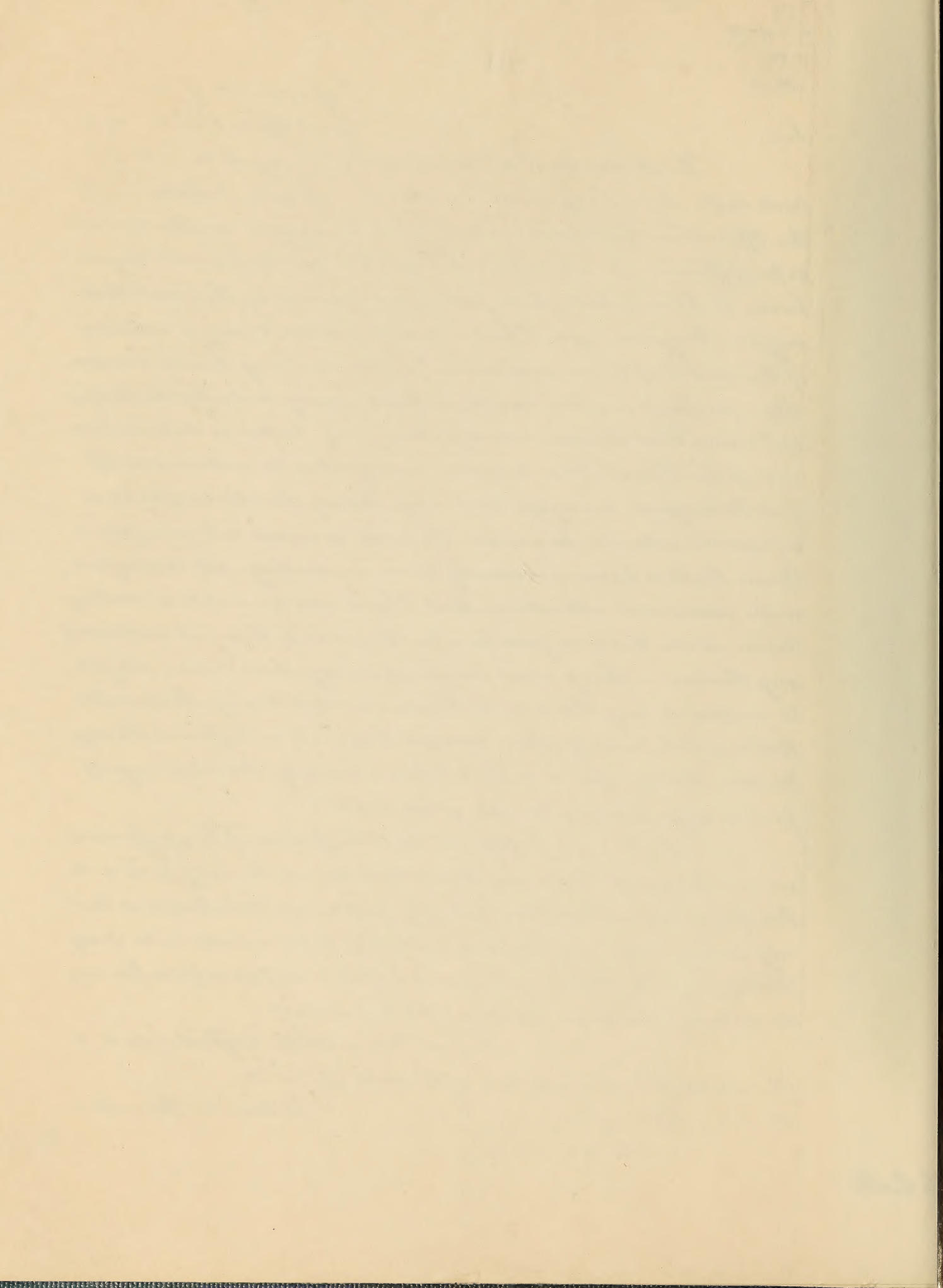
Consideration, &c.

Secy of State of the

William A. Thompson.

United States.

Enc 3/16



Department of State (Patent Office)

November 23^d 1822.

Sir,

In answer to your letter, addressed to Doctor Thorntons, requiring information of the Clerks and Messengers in this Office, respecting any employment they may have except their duties in office; - I can state for myself, that I have no other business at present. Formerly, out of office hours, I gave lessons to young officers in the Navy, and to others, in Mathematics; but which I did not consider any breach of duty, nor any injury to the public service; however, I have done very little in this during the present year; and will altogether discontinue it if required.

I am very respectfully,

Your obedient servant,

To the Hon. John Q. Adams, }
Secy. of State of the U. States }

Wm Elliot -

Ed
JWB

Dept. of State Patent Office

Nov^r 23^d 1822

Sir,

I am employed as a Messenger in the Patent Office, and have been requested to state to you whether I have any other employment. - I have not.

I am very respectfully

Your ob^t servant,

To the Hon. John Q. Adams }
Secy. of State of the U. States }

R. W. Fenwick

Ed
JWB

Department of State,

Washington 19th Nov^r 1822.

In obedience to a request of the Secretary of State, made in pursuance of a Resolution of the House of Representatives of the 16 of April last, the undersigned has the Honour to state, that he is not engaged in any pursuit or profession other than that of

Salary Public, without this St.

Josias W. Hing

End

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Department of State

Washington 20. Novemb. 1822.

In obedience to a request of the Secretary of State, made in pursuance of a Resolution of the House of Representatives of the 16 of April last, the undersigned, Clerks in this Department, have the honor to state, that they ^{are} not engaged in any pursuit or profession other than that relating to the public service

Fontaine Morey

Th. S. Thurston

George E. Ironside

Linnaeus Smith

John Bailey

John Martens Baker

End

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Department of State

Washington 21st Nov. 1832.

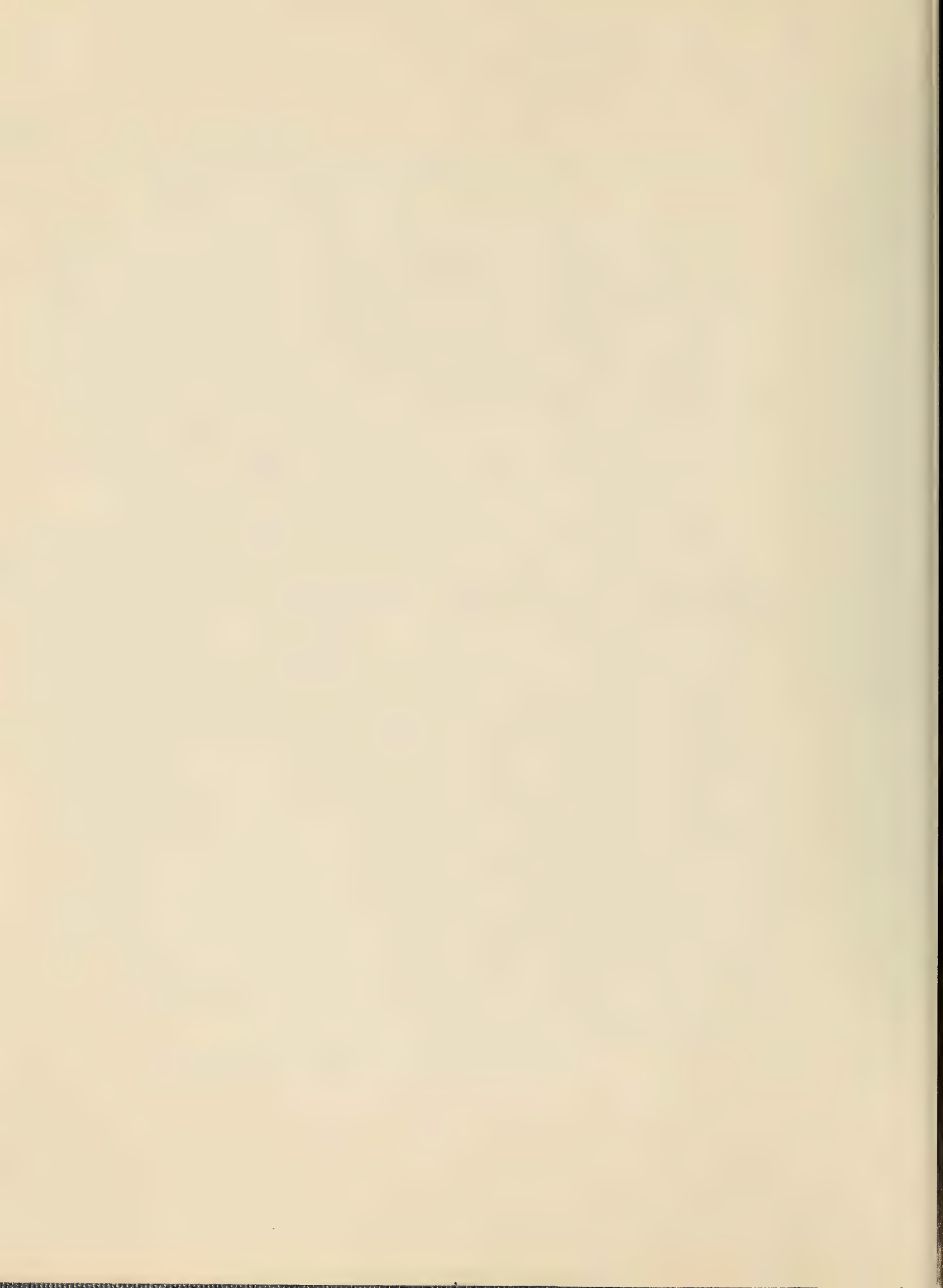
In obedience to a request of the Secretary of State, made in pursuance of a resolution of the House of Representatives of the 16th of April last, the undersigned has the honor to report that he is engaged in no profession or pursuit which necessarily interferes with his duties in the Dept of State - his ministerial duties being generally performed (those of Sunday excepted) in the evenings - But were it even otherwise, he feels no hesitation in saying, that any time which may have been occupied in this way during office hours, has been amply compensated by official services rendered by his son, as most of the Gentlemen in the Dept, will, I feel confident, readily testify.

Andrew T. McCormick

End

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Department of State
November 20th 1822.

In pursuance of a resolution of the House of Representatives of the United States, of the 16th April last, I beg leave to state; that I am not engaged in any pursuit or profession connected with the public service. It may, however, be proper to observe, that I am interested in a farm in the vicinity of this City, which I occasionally visit; in which case, I usually go in the afternoon, and return the next morning.

R. Forrest

Ex-
JH

The subscriber, Chief Clerk of the Department of State, respectfully states to the Secretary, that he is engaged in no pursuit or profession other than that of the Public service. It may be proper, however, to mention, that he has a farm in the neighbourhood of this City, under the management of a Person employed by him, which he occasionally visits, and remains at for short periods, seldom exceeding a day, when the Business of the Office conveniently admits of this indulgence.

Ex-
JH

Washington 20th Nov. 1822.

Daniel Brent

Sir,

On the 15th of August last, I had the honor of sending to you a representation, with accompanying papers, relative to a patent obtained last year by a certain Mr. Nathaniel Sylvester; and as by Doctor Thorntons letter of the 18th I was informed, that the same remained in his possession on account of your absence, I hope the Gentleman will have had, now, the goodness of laying the whole of them before you, agreeably to my request of the 22^d same month. Sometime having already elapsed, without hearing of any result, I conjecture that said papers lay, perhaps, the table for consideration; but conceiving that you might probably be inclined to set them aside, under the general impression that the Act of the law of July 21st 1793 exclusively provides for medals in similar cases,

find myself unavoidably obliged, to trouble you once more on the subject, by showing that, if I derive the single notice of your Department it is, in my opinion, a correct step and the only legal one that my case can admit. This being the principal point, which I propose to demonstrate, I shall with your leave propose it with some explanatory remarks, rendered indispensable by my circumstances. But before I begin, I respectfully pray you, Sir, to bear constantly in mind, that the frankness of my sentiments is never to be considered, in any of its expressions, as divested of that sincere veneration, which the high dignity of your Station and of Government, justly claims from every freeman; and above all, that the arguments I propose to offer, are by no means intended as established principles, but reasonable positions submitted for candid examination.

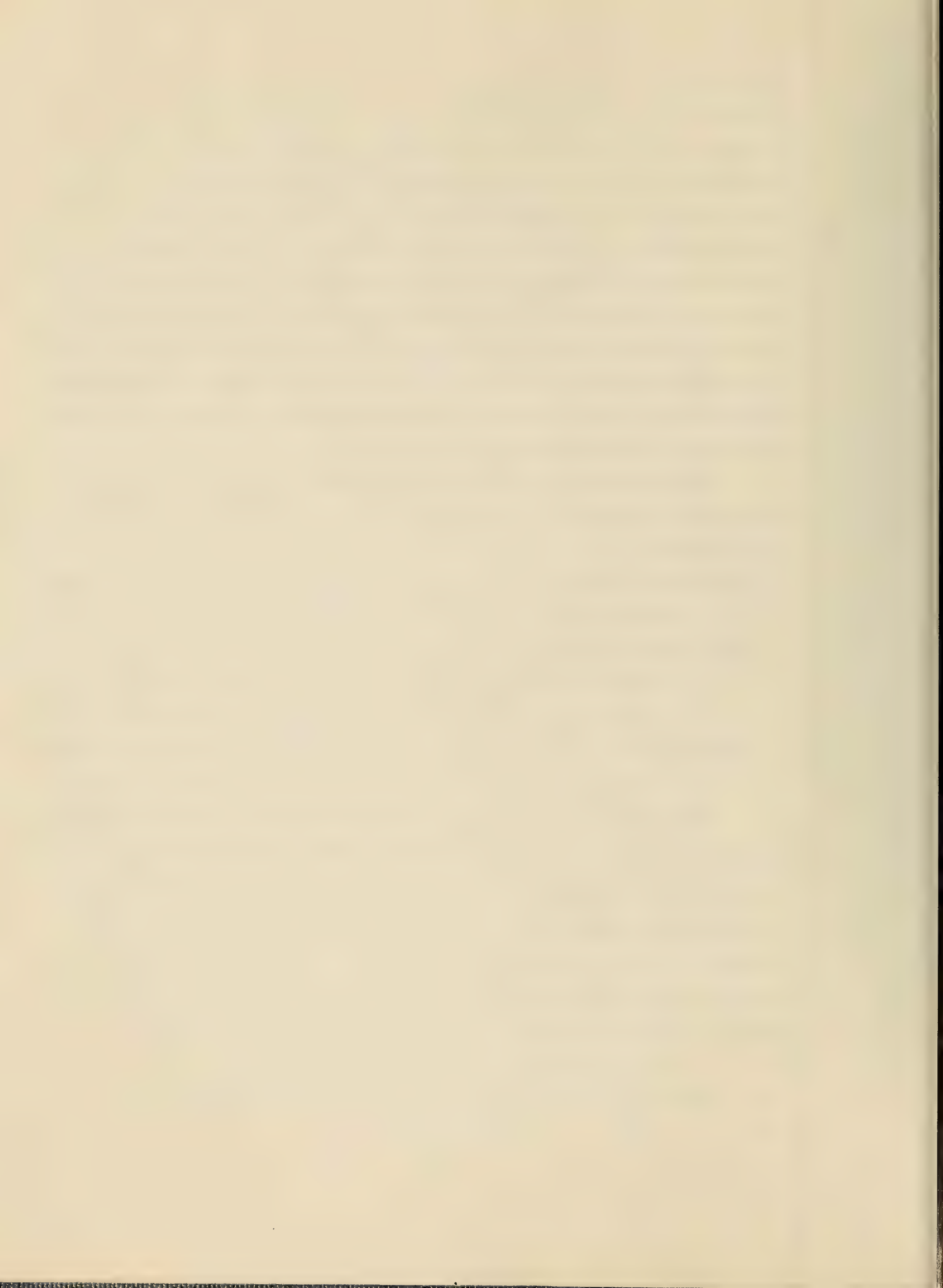
If Doctor William Thornton, the Director or Superintendent of your Patent Office is positive in his letters to me; I am able to assert upon his own Authority:

- + { I. That he, in his said capacity, did not apprise Mr. Sylvester of my patent and Publication.
- + { II. That the personages appointed by the Standing Laws to solemnize a National Patent, granted in 1824 that of Sylvester, without paying any regard to the Exclusive Right warranted to me in 1822.
- * III. That if a Patent is demanded, it will be issued from that Office, though it is even known that it interferes with a previous one.

By the first of these sentences, I cannot but perceive a material forgetfulness, if not ignorance, of the Office's Records on the part of that Gentleman; as well as a kind of indifference at the regularity thereof: By the 2^d. it appears to me, that your entire confidence in the knowledge and vigilance of the Incumbent, has been eventually disappointed. And by the 3^d. I have reason to lament the evident facility with which Patents are granted, whereby the original Inventors, launching their discoveries to the Public with a bona fide

* Doctor Thornton's letter to T. Ch. Ogden dated August 9th 1825.

* D^{to} d^{to} d^{to} d^{to} 18th



reliance on the encouraging Law of Congress find themselves unexpectedly exposed to the surreptions of wilful adventurers; to dilatory and expensive litigations; and to the distressing waste of their means and time, in prosecuting the offenders. Such being my circumstances, I am kindly consoled by the specifications Doctor, with the following phrase in his last letter to me of the 18th August last: "But you will find that such a Patent may be set aside by the 11th Section of the Law by a speedy process." How speedy said process may be, I do not see that it regards at all, whether I have or have not the means to undertake it; and whether I must forsake, on its account, the daily profession which alone affords me a frugal subsistence.

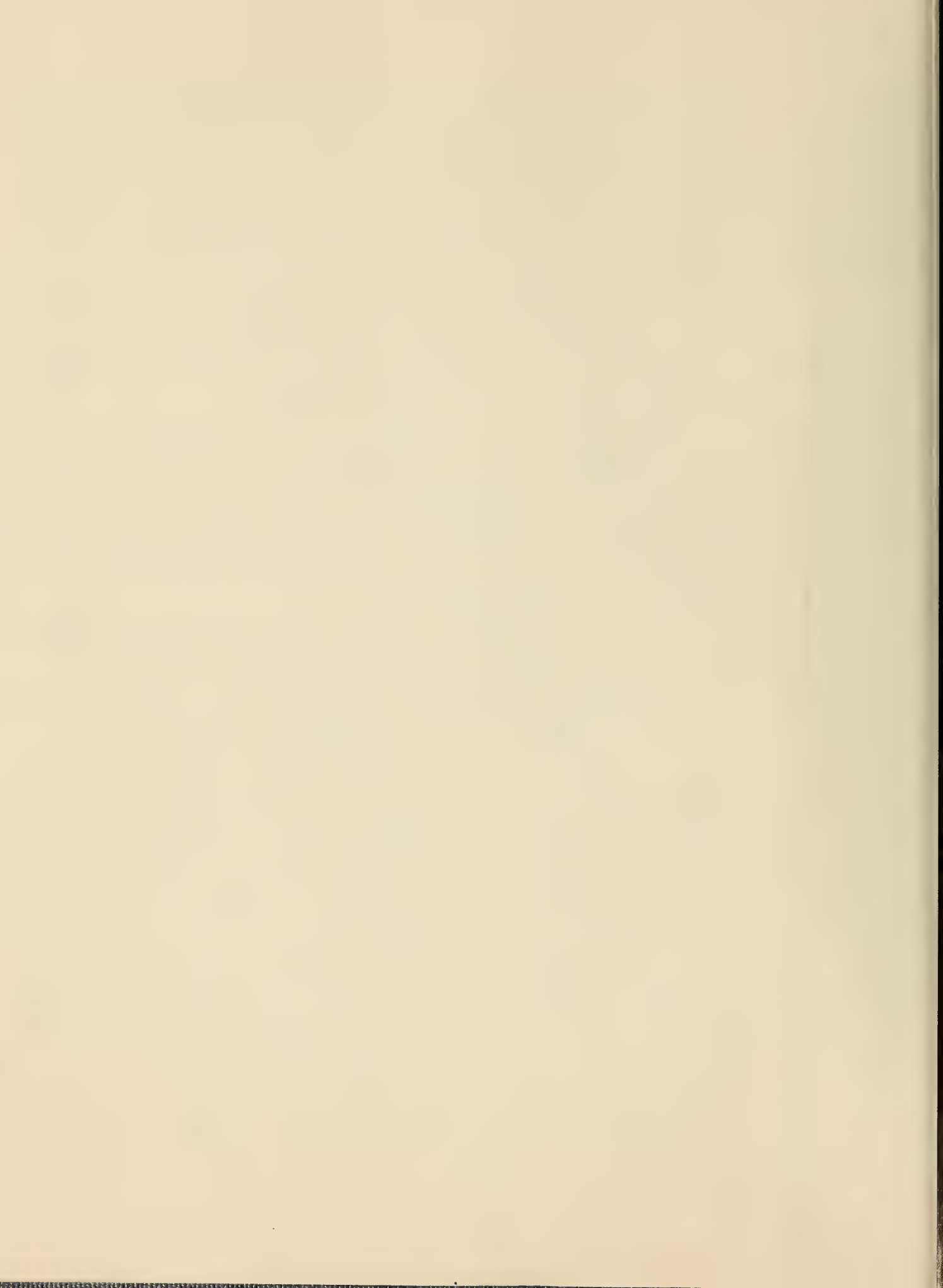
But the more I meditates on this unpleasant consolation, the more I think it repugnant to the feelings of an old Citizen, who sincerely loves and reverences the Authority of his Country. If the Nation suffers the privileges solemnly granted through her Sovereign Will, to any living person, to be brought in question and unsettled by a Court of Justice, I shall never be the mover of the suits. I consider, Sir,

I. That Mr. Sylvester acts under a National Authority, which my moral and social duties forbid me to oppose.

II. That he, therefore, is not answerable to me but solely to the High Power, which protects him.

Nor can I, with any sense of equity, denigrate his active and industrious influence already acquired, as I understand, throughout the Union, because the credit of a national being is generally reputed by sensible souls as more valuable than life itself. Besides, this uncharitable measure would apparently prove an antidote both dilatory & useless after all, because the heavy expenses of publications &c. calculated to counteract in every quarter the impression made by him, would by far exceed my pecuniary means, in consequence of which any insufficiency would bid me to sink under his evident oppressions, and leave the happy Union to prey on my interest and comfort as he pleases.

But, Sir, on turning the leaf of this desponding detail, a sudden Inspiration (not from a Gentleman of the Law, because far



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want of means I am not in the habit of consulting any, but one of those
(that sometimes awaken my mind) encourages me to view my present
case as partaking of such a singular form, as to be, in statu quo, exempt from
the cognizance and decision of the District or any other Court of the U. S.

Dispensing with the auxiliary doctrines of Grotius, Vattel, Puffendorf and
such other celebrated civilians, guided by simple common sense, I submit
the following arguments, which I sincerely take to be correct:

I. The above mentioned Sect. 10th of the Law provides a redress,

through the District Court, against patents surreptitiously obtained
by Citizens; but in my present case the surreption comes from
a National Favourite, who is not a citizen of the U. S.

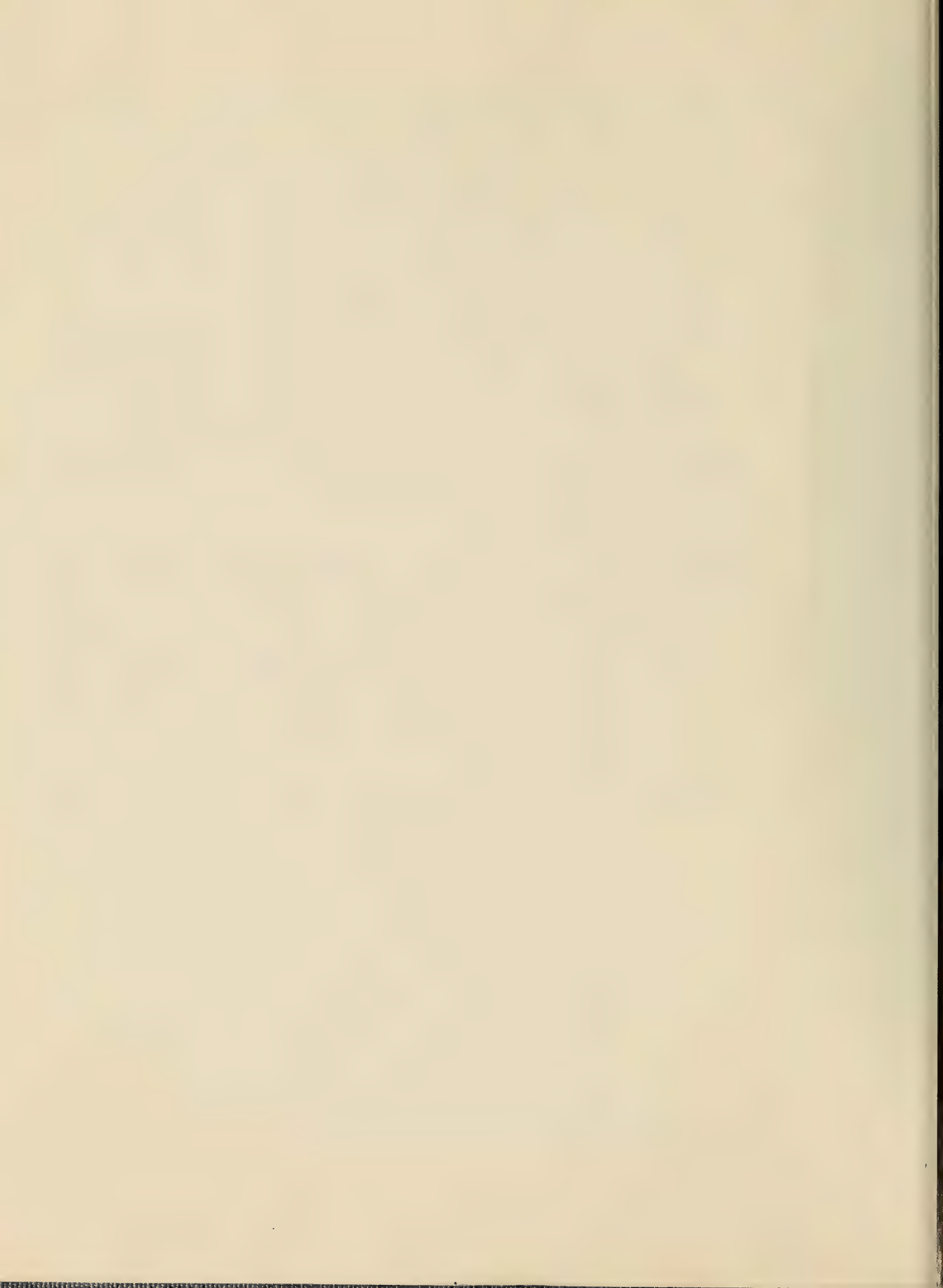
II. The very purport of the late Act of May 26th 1824, evidently shows,
that it ^{was} never intended by the Statute, nor expected by
the Judiciary Power.

III. Should it be insisted upon, that my redress is only to be ob-
tained by the usual process through the District Court of
the U. S; then, as the prosecution should necessarily ar-
ise from the retrospective effect of said late Act, the
same would exhibit the symptoms of an export facts
Law, incompatible with Sect. 2 & 3 of the Federal
Constitution.

IV. The decisive predilection manifested by Government[†]
to said Alien, wears the clear appearance of its grant por-
tending to be a new sovereign Act on National Responsi-
bility, and cognizable by none but itself.

V. Hence it follows, that Government, if unwilling to grant me
a relief at his hand, and generously disposed to see my
grievance impartially redressed, by letting the extent of its
responsibility be determined by a National Jury, I re-

† Under this term are to be understood the Legislative & Executive Powers, both
being the Authors of the Patent in question.

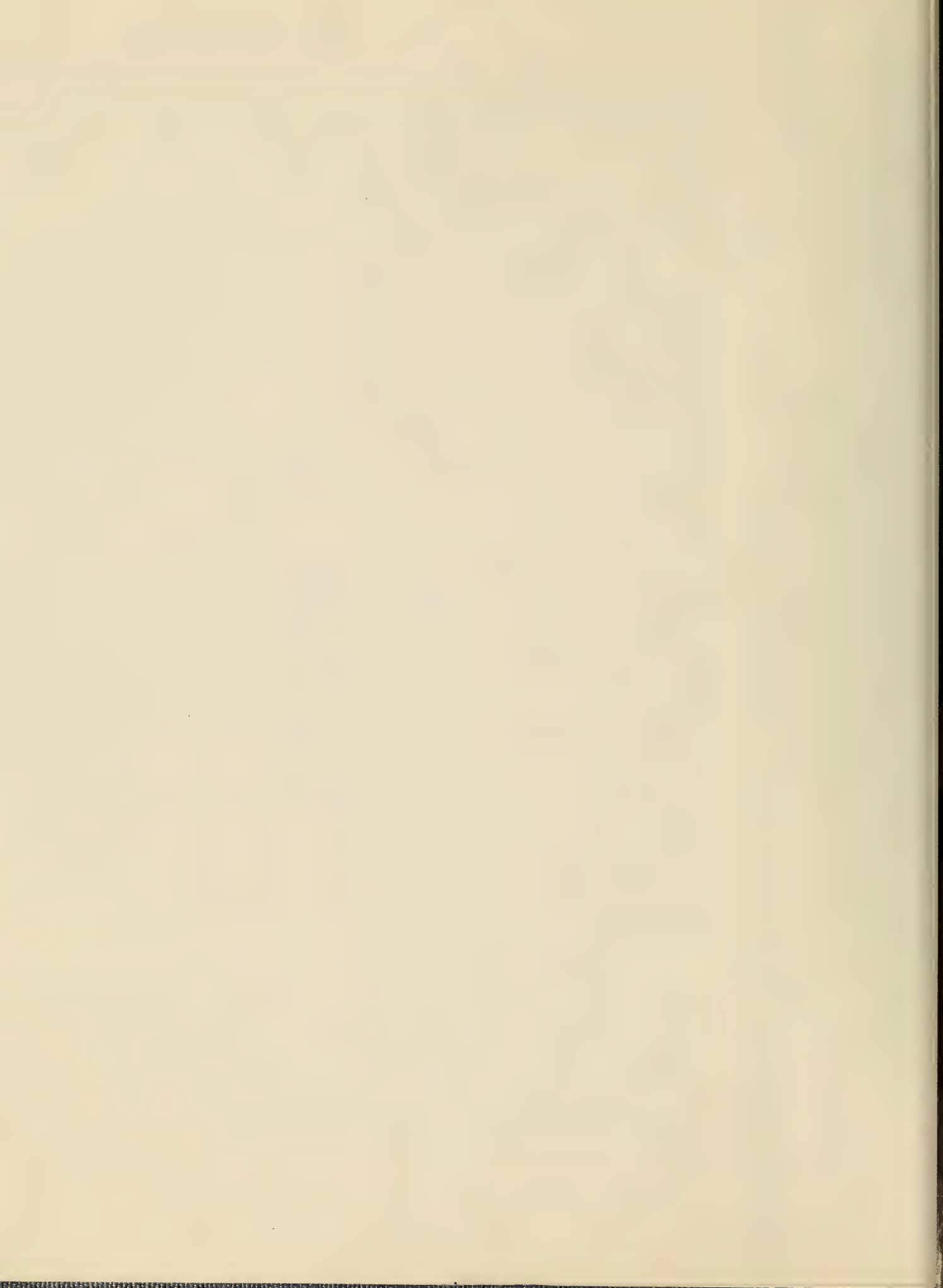


sonably expect that it will probably think on the expediency of passing an Act, whereby, waiving its Honorable Jurisdiction, I may be authorized to issue process against the same before the Supreme Court; and in that case, unable to employ counsel, I cannot avoid claiming the honor of being there admitted as Att. pro persona.

When I reflect, Sir, on the prominent bearings of my present case, my affliction leads me to lament the issuing of Sylvester's Patent, and its consequences in ingenuity, as a Deed consecrated by mere Power, unsupported by any Right; and in this very manner I consider myself to have been unexpectedly divested of my lawful property, for the purpose of bestowing the same on the fortunate Englishman who on stepping on this liberal Land, ignorant (as I charitably suppose him to have been) of American Discoveries, boldly claimed the attention of Government, as the Inventor of a previous Invention.

The 5th Art. of the amendments to the Federal Constitution positively declares, that "private property shall not be taken for public use without just compensation;" how then be presumed, that such a sublime Charter of this grand political Compact, did ever think it probable that our Government, acting (as it is solemnly bound to do) under its Authority, should at a future time take the property of one old Citizen, not for the use or benefit of the Public, but solely to regulate with it a Foreigner just arrived? And will any honest Citizen pretend to assert, that the unfortunate sufferer must undergo the ordeal of a Judiciary Power, when the very Constitution that created it did not foresee, and consequently intend to place the fact in question under its jurisdiction?

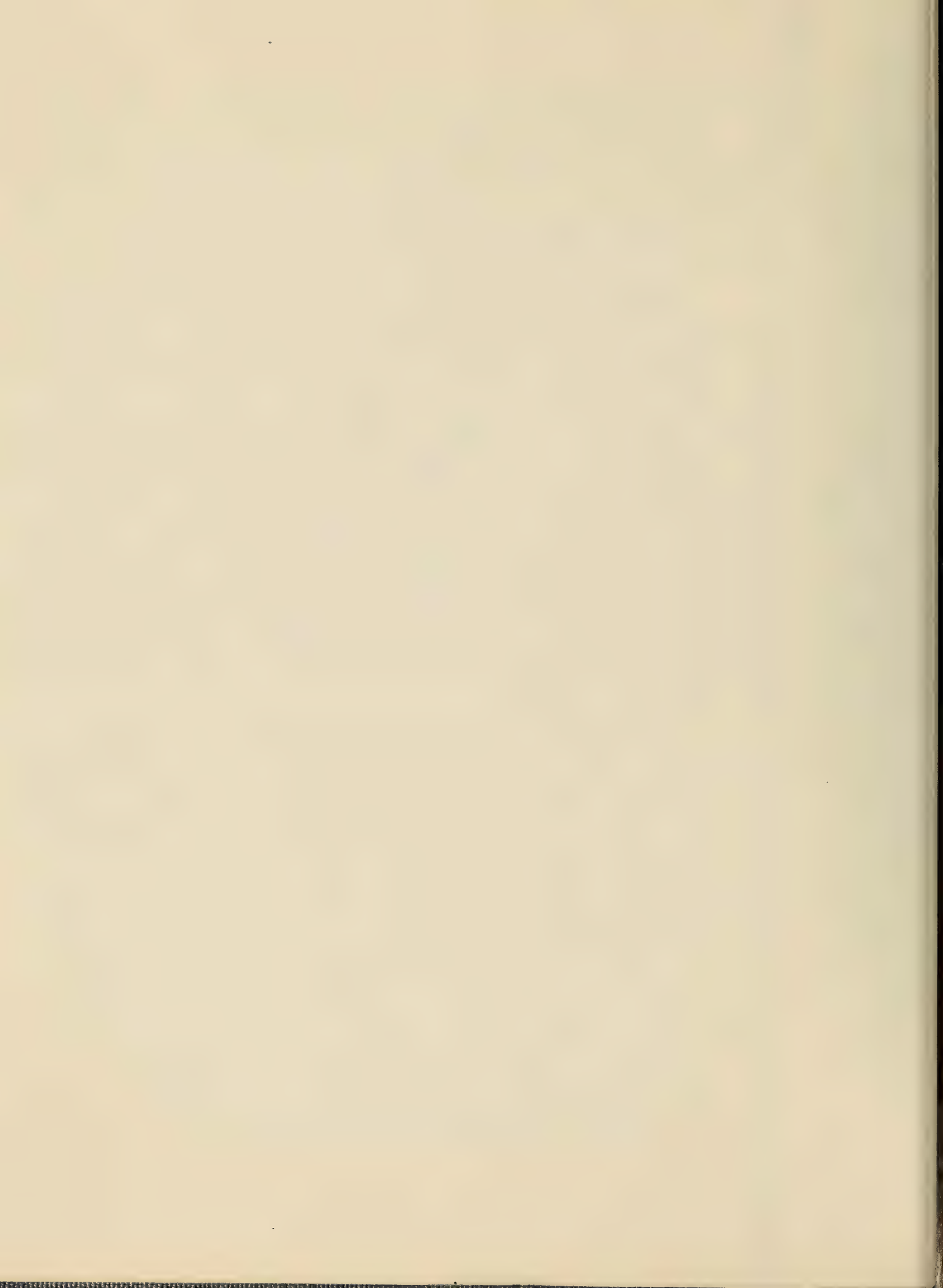
But to prove conclusively that in the case now under consideration, I have nothing to do with Mr. Sylvester nor any Court whatever, gives me leave to appeal to plain Moral Equity. The honorable laws of this virtuous Luminary, being founded in Nature, are immutable, and can suffer no alteration but what may be attempted by daring force and of



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passion. One of the brightest axioms that adorn its Sanctuary is that "the Author of a damage is bound to repair the same, as self convicted by the Fact." The questions and answer broadly hinted by this Doctrine are so obvious and natural as to entitle me, for the sake of brevity, to declare that I hold and look upon our Government as my sole and real Debtor for all damages.

By this last conclusion, nothing remains for me to do but follow the universally recognized rules of Commerce, whereby mariners and merchants make a formal abandonment to the Underwriters or whoever it may concern, of their wrecked ships or goods as unworthy of their further pursuits: And accordingly, as the Act of May 2nd and the Patent issued in favour of Mr. Nathaniel Sylvester on the 12th July 1824, as before mentioned to me to have superseded my Patent of August 13th 1822, the same, not deserving my further attention, is hereby solemnly pronounced and abandoned for the account of Government, entertaining the confident expectation that its Justice, its Dignity, and its known Liberality will not withhold from me an equitable compensation therefor.

In closing my actual Representation, permit me, Sir, to call again on your superior frustration and generally admired humanity, inviting you with the utmost deference to favour me with the open display of any objection you might conceive against my exposition of the 15th of August last, or the contents of the present. Anxiously wishing to be corrected if wrong, but to be righted if right, I beg you to consider me as my ^{humble} Logician, who sincerely looks for truths, and scrupulously follows it in the full extent of his mental faculties; hence rather diffident than positive, Reason alone will with me maintain or reject my greatest interest. Under this candid assurance, I do solemnly protest and promise to retract my slips, and instantly quash my pretensions, whenever I can be made sensible



that the grounds I have assumed is materially defective and untrue. To this reasonable object my fervent prayers are directed, and considering the ample stock of information which you possess to ascertain the fact, I do anticipate to myself the gratification of receiving your respectable sentiments thereon.

But if unhappily, and left to my insulated reflections, it is evident that no other resource is left to me but that of troubling the attention of Congress at their next Session. Unwillingly, indeed, I shall yield to the necessity of such a measure, still I will not so much regret it, as the dread that the nature of my case may afford matter of detraction to ill disposed Editors & scriblers, who eagerly seize every opportunity for scandalously inveighing against the most liberal of earthly Governments.

Conscious, Sir, that the probable crowd of National affairs under your serious consideration, must view a private application like this as a disagreeable diversion; I do devoutly beseech you to forbear the liberty I have taken, as I propose to be the last, unless you condescend to reason with me, and your observations require from me further illustrations.

With the most sincere and profound respect,

I have the honor to be, Sir, Dear Sir,

Obedient & very humble Servant,

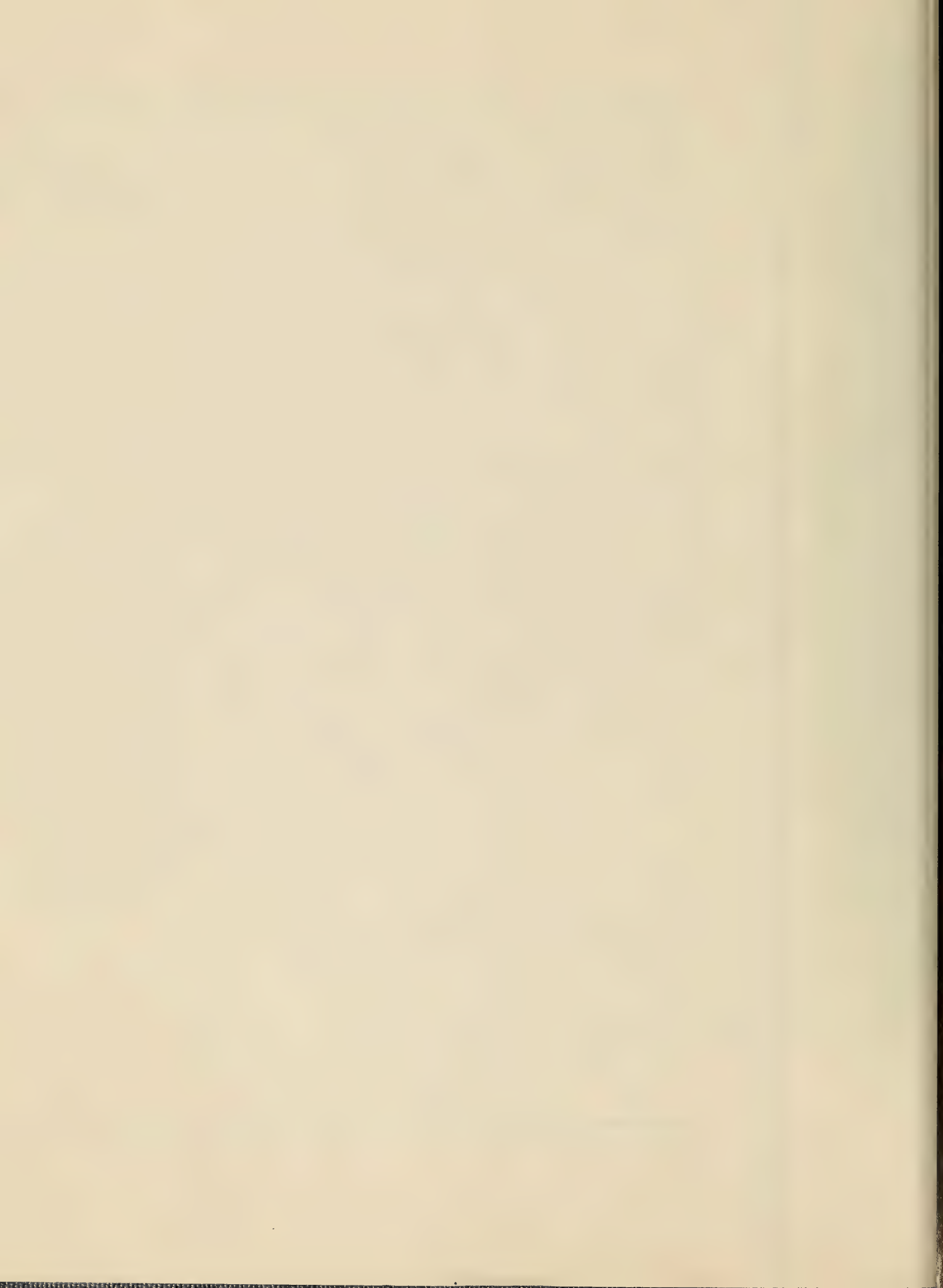
James Ph. Puglia

Prof. of Tor. Lang.

Marshall's College, Germantown
Philad.^a Co. September 5th 1825.

Ed
JPK
Honorable Henry Clay,
Secretary of State of the U.S.
Washington.

(2561.4)



11
Dept of State, Patent Office,
November 23^d 1825.

Sir,

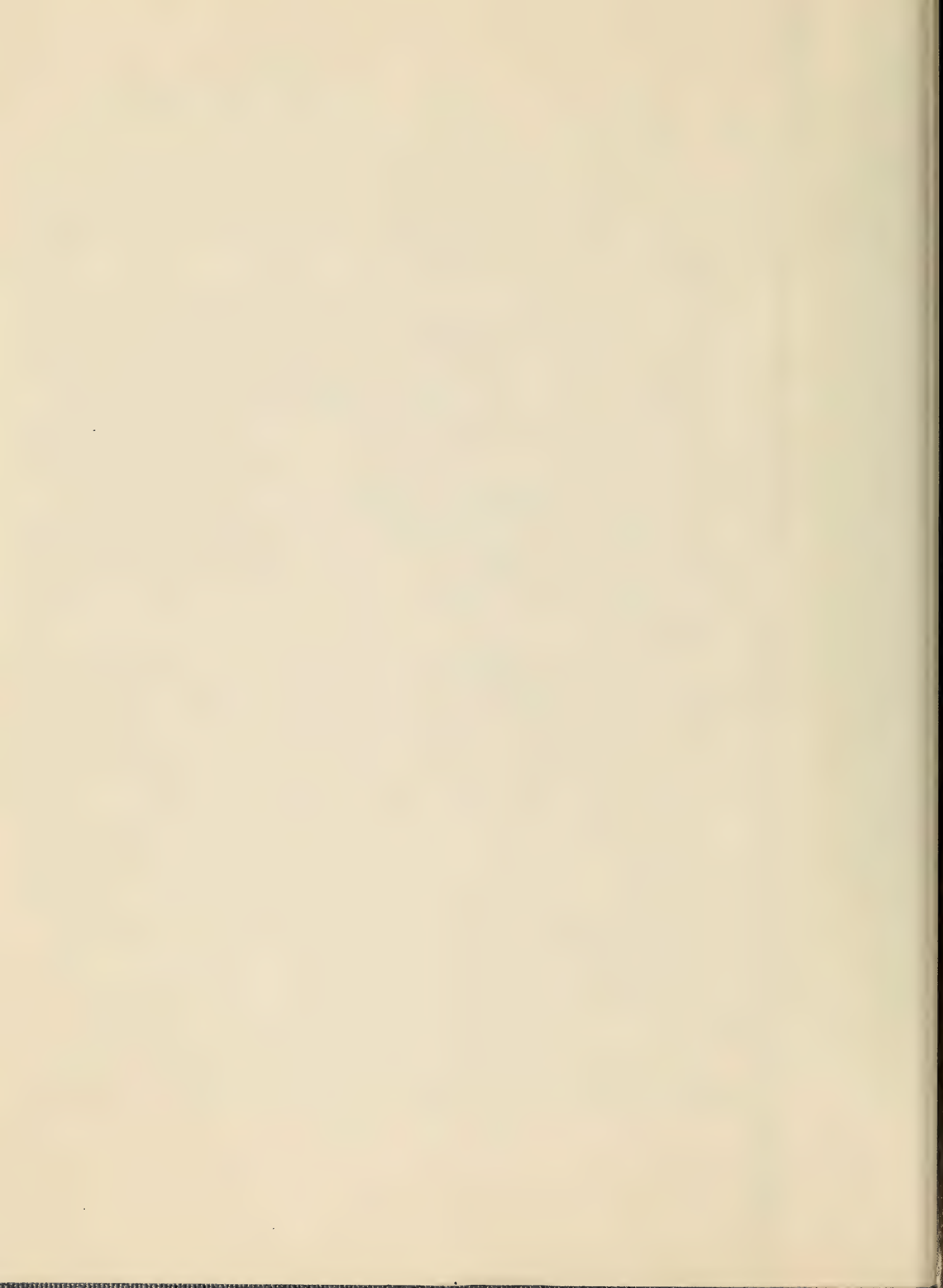
Some time ago, I promised to state in writing to you some important improvements in the patent-law, suggested by observations in that office for several years. They are briefly as follows. -

1st. An explanatory clause to 7th line of the first section of the patent law is wanted. At present the phrase reads, "not known or used before the application". Now, what is meant by application? Is it for a patent? Or, is it the application of the invention to some new and useful purpose? This ambiguity of expression has been the cause of much litigation; and has been the cause of some patents being set aside; because the inventor had used his own invention before he applied for a patent; which is both absurd & unjust.

2^d. When a patent exceeds 1000 words it ought to be charged at the rate of 20 cents per 100 words for all above that number; besides the value of the parchment; for some patents have been issued which have cost the government more than 100 Dols. although charged only thirty.

3^d. There should be a new section granting inventors conceals for one year, which would allow them time to perfect their inventions; and would prevent the workmen which they employ from stealing their inventions, and taking out a patent before the true inventor. A conceal might be charged five dols. By this means the public revenue would be increased, and much litigation prevented.

I will take the opportunity most respectfully to suggest, that all money received for patents be immedi-



ately deposited in bank, in the name of the applicant, by some bank in your office; and when wanted, either to pay the patent fee or to be returned drawn out by check. By this means no mistake could ever occur with regard to the patent fee's being first paid before the patent is issued; and all responsibility on that account removed from this Office.

As respects myself I am particularly desirous this course should immediately be pursued; for at present I am often made responsible for money without any adequate guard by which I may be protected from imposition.

I am most respectfully, Your obedient servant

Ed W. To Dan's Front Esqr

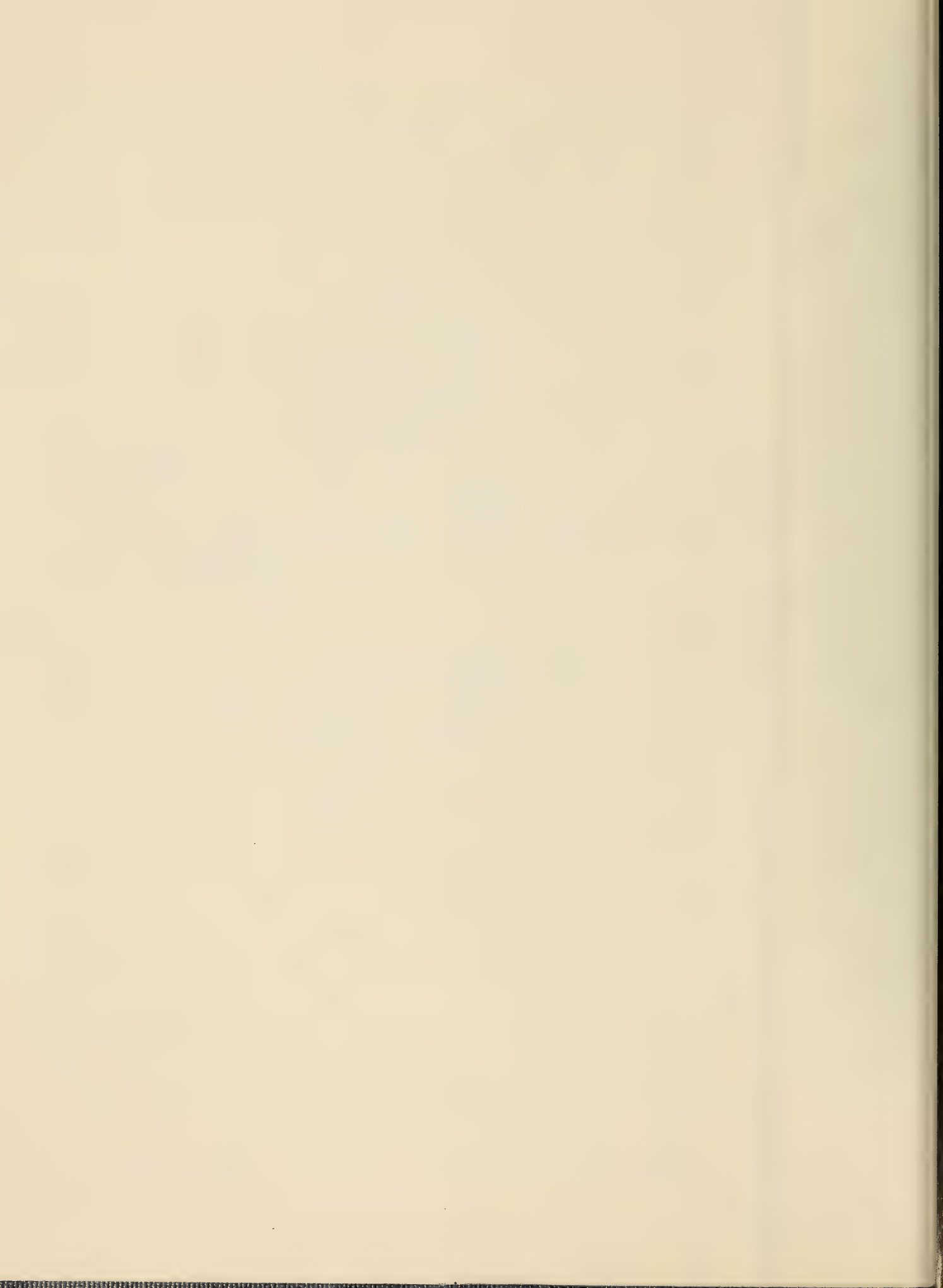
Yours E. Lincoln

Dept. of State

Patrol Office, 12th Dec. 1825.

Sir,

The enclosed Letters were written in 1851, since which the Patents have increased greatly in number, but the Duties do not increase merely in the proportion of the number of Patents issued, but also in the difficulties arising from a recurrence to all that have preceded: The weight of the Duties therefore may be considered as compounded between the increase of Patents issued, & the laborious intricacies arising from this interminable progression; for it requires no small labour to wade through many thousand patents already issued, to guard with incessant and watchful attention against ingenious projectors, who seek by various means to reinstate themselves in those that are expiring, or that have become public property; some by introducing them under small additional Improvements & some attempting to obtain Patents for Inventions that are of foreign origin: to guard against which requires an examination of the Reports of the Arts &c. — All these with the very extensive com-



ponderance, render the situation of the Superintendent one of the most difficult and tiresome of the Executive Office. In the estimation of considerate & intelligent men entitled to as much compensation at least as any of the officers under the Heads of Departments: for the Hon. Robert Smith, then Secy. of State, considered the Superintendent of the Patent Office as entitled to a salary of \$2000 per annum, in the year 1810 & the never ceasing duties which are daily increasing, not only in quantity but still more in quality, would surely entitle the person who is thus selected, to as much compensation as those officers whose time is only occupied by almost an invariable routine, requiring little more than daily attention, without a single scientific investigation whatever, and whose labours terminate with the duties fulfilled, but the more are fulfilled in the Patent Office, the more difficult are the subsequent duties. -

I am, Sir, with the highest respect &c. &c.

Honorable Henry Clay
Secy. of State of the U. S. -

William Thornton -

End
JWR

(4422: 30)

Patent Office, Feb. 23^d 1826.

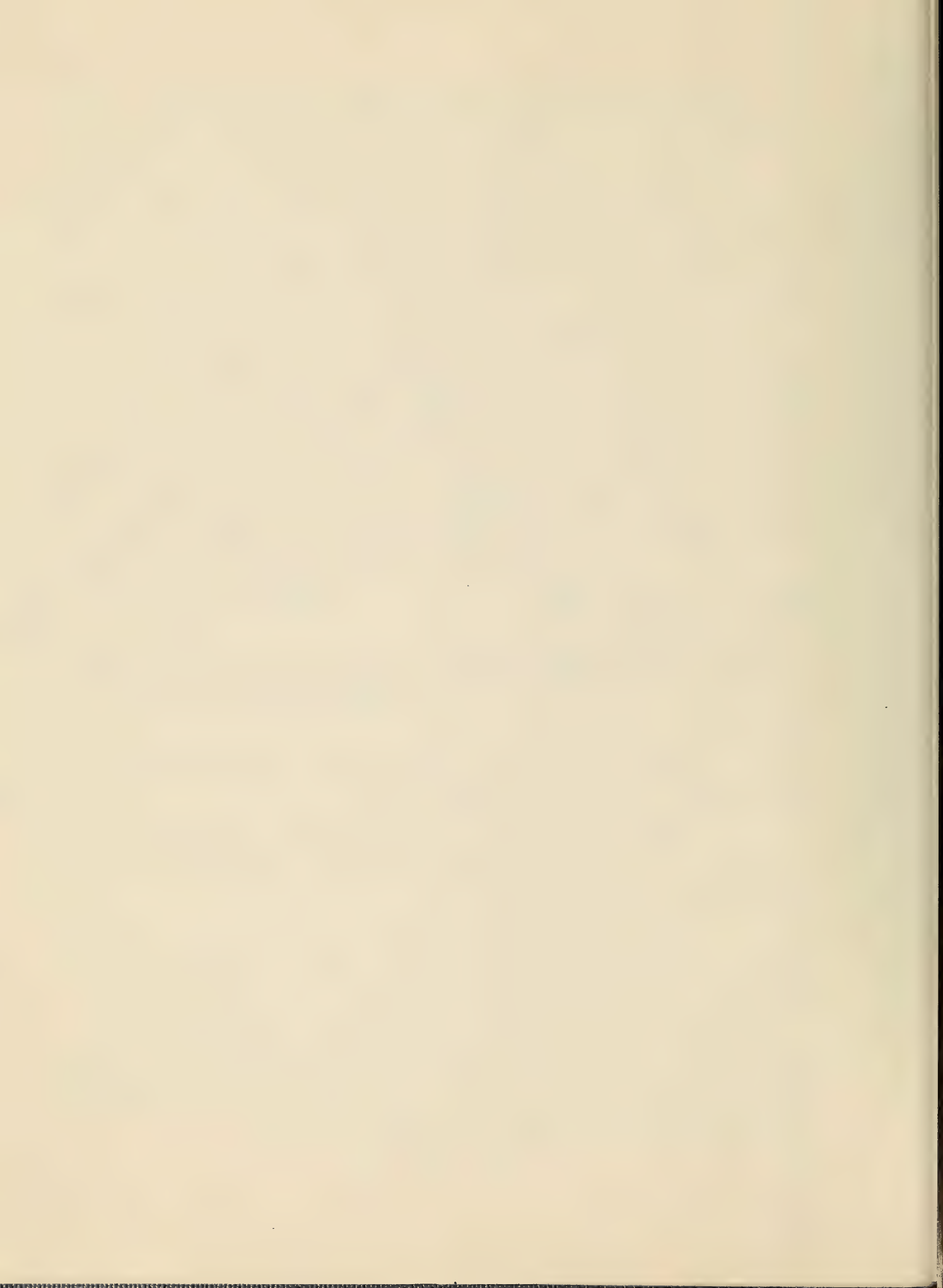
Sir,

Having been requested to state what duties Robert Jamieson performs in this Office, I answer. -

Besides doing the usual business of a messenger in a public office, he copies in a book most of the letters written to correspondents respecting patents, &c.

It is also with pleasure I state, that as far as I am acquainted, he has uniformly conducted himself in this of-

* Within these eight years the Secy. of State can judge of this labour, as, since that time, tho' not before, all letters to the Patent Office have been opened by him, except those sent directly to the Superintendent or conveyed to him by private hands, or those forwarded by due authority. -



1.1
Yours obligingly, & with fidelity and industry. —

I am, most respectfully,

Your much obliged and obedient servant,

To Genl. Grant Esq^r

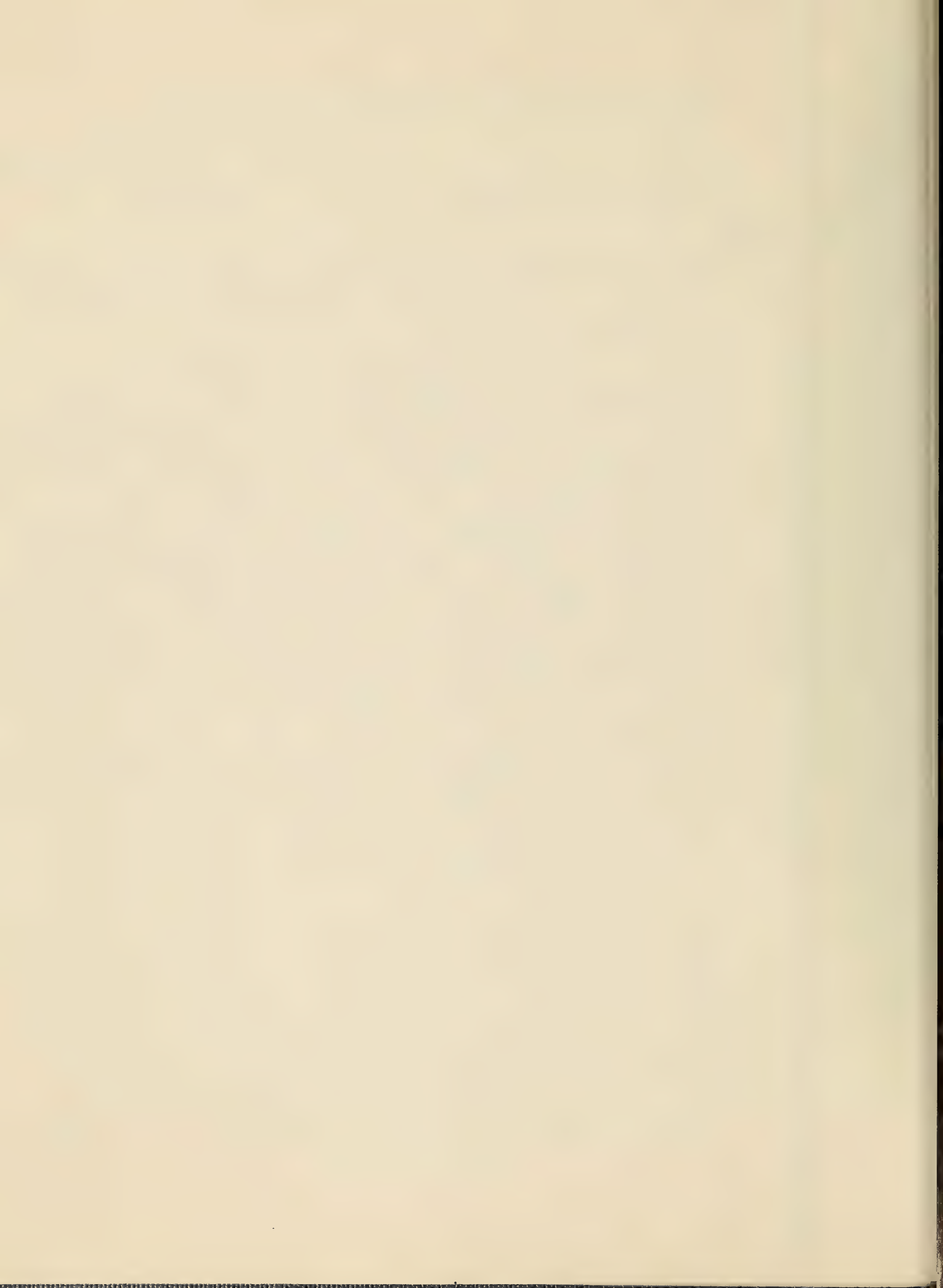
J. M. Elliot.

Ed. W.

City of Washington 12th Nov. 1821.

Dear Sir

While you were the Secretary of State I had the honor of submitting to your consideration the Duties of my Office, & you being convinced that they were not ordinary Duties, thought it proper to give me such a compensation as you deemed compatible with the public Good, and stated in a written memorandum dated on the 16th Day of June 1816, that my salary should be at the rate of \$2000 per annum, from the 1st day of July following, and I received at that rate for some quarters; but the Duties of the Dept of State requiring afterwards some additional clocks, this salary was not paid to me regularly. — Your predecessor, Mr. Madison, has occasionally given me at this rate, but my salary had not been fixed, till you were so good as to determine it. — In consequence of no due appropriation I addressed the Congress, & the appropriations in my favor passed both Houses, but not in the same Session, therefore was not enacted: at last my papers contained the written agreement, with which you were so good as to honor me, and a letter from President Monroe, when Secy of State, also from Mr. Rush, when retiring from that Office, & from Mr. Secy Adams, all concurring with you, & recommending the measure, were, at the last Session of Congress mislaid or lost in the Senate, and I am now without the aid of these important papers. Therefore, though I with great reluctance trouble you with old affairs, I am under the necessity of soliciting a Certificate that you honored me with such a paper; for I must apply to Congress again on this subject, & try to obtain what may be considered as some compensation for the labor



and unceasing dedication of my time & labor to an Office which requires great attention; & which precludes me from retiring occasionally into the country for relaxation, & from engaging in any other beneficial employment.

By favouring me with such a Certificate you will very much oblige me.

I am, dear Sir, with the highest respect, and
consideration, yr. sincere Friend &c.

Honorable Robert Smith.

William Thornton -

Washington County, District of Columbia.

Personally appeared William Thornton, who made solemn affirmation to the Truth of the foregoing Statement. -

Affirmed this 15th Nov: 1821, before

Enoch Reynolds J. D.

End 8416

(455 a d)

William Thornton Esq:

Sir,

I cannot allow myself to entertain any doubt as to the correctness of your Statement in the foregoing letter to me. It is confirmed by the accompanying documents, & have, however, greatly to regret that my memory was not enable me to state with the requisite accuracy the term and conditions of the written memorandum dated June 16. 1810. But will not Congress receive, as a equivalent to ^{the} original, your affidavit of the contents of the lost paper, and especially as the loss is not imputable to you.

With respects. &c. &c.

R. Smith

Baltimore Nov. 17. 1821.

End 8416

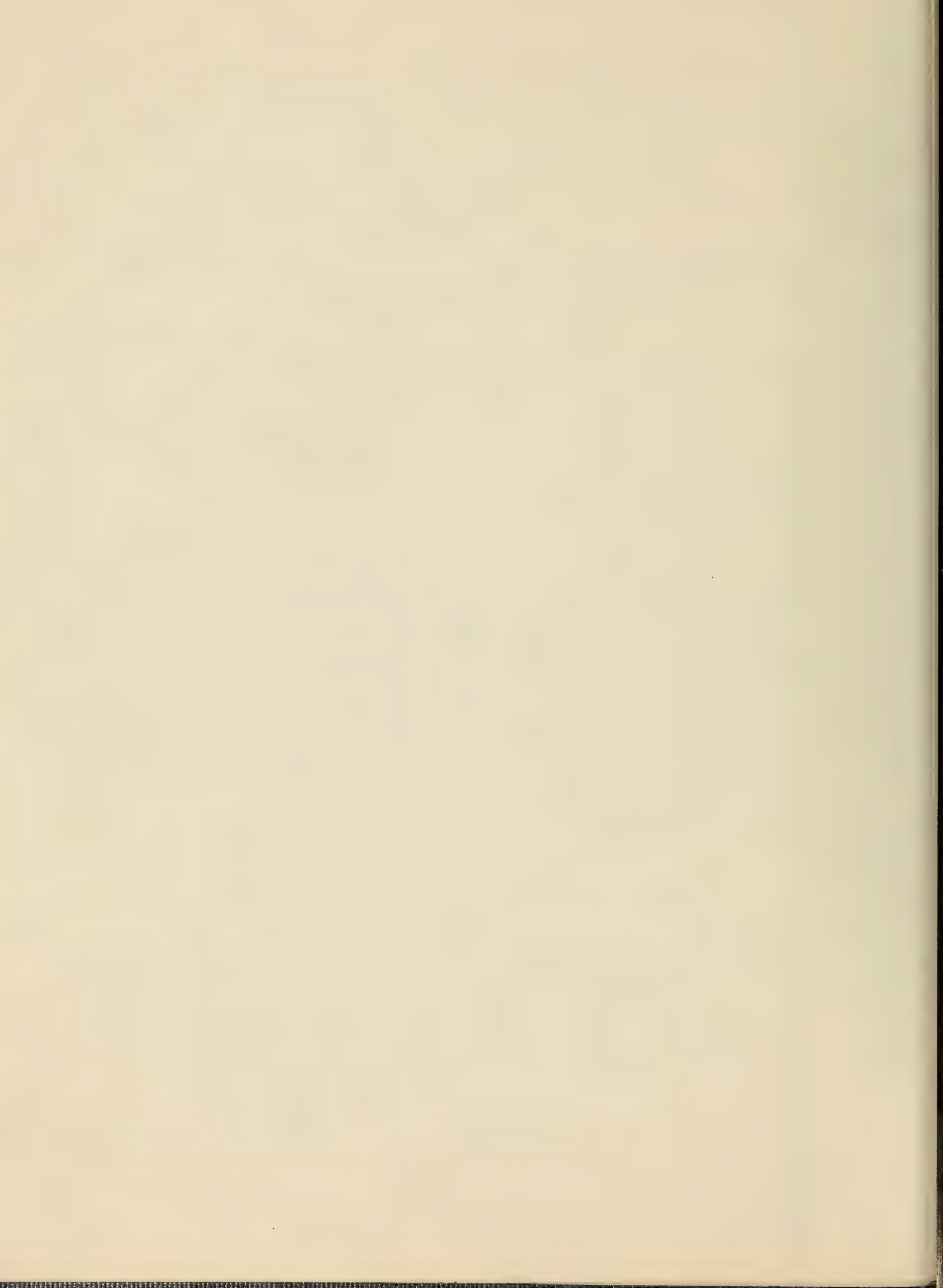
1000 d

W. Thornton's respectful Complts to the Hon: Secy of State & requests he will be so obliging as to lay the inclosed before the President of the U. States. -

Secy of State

Patent Office 8th May 1826 - End 8416

40 a d



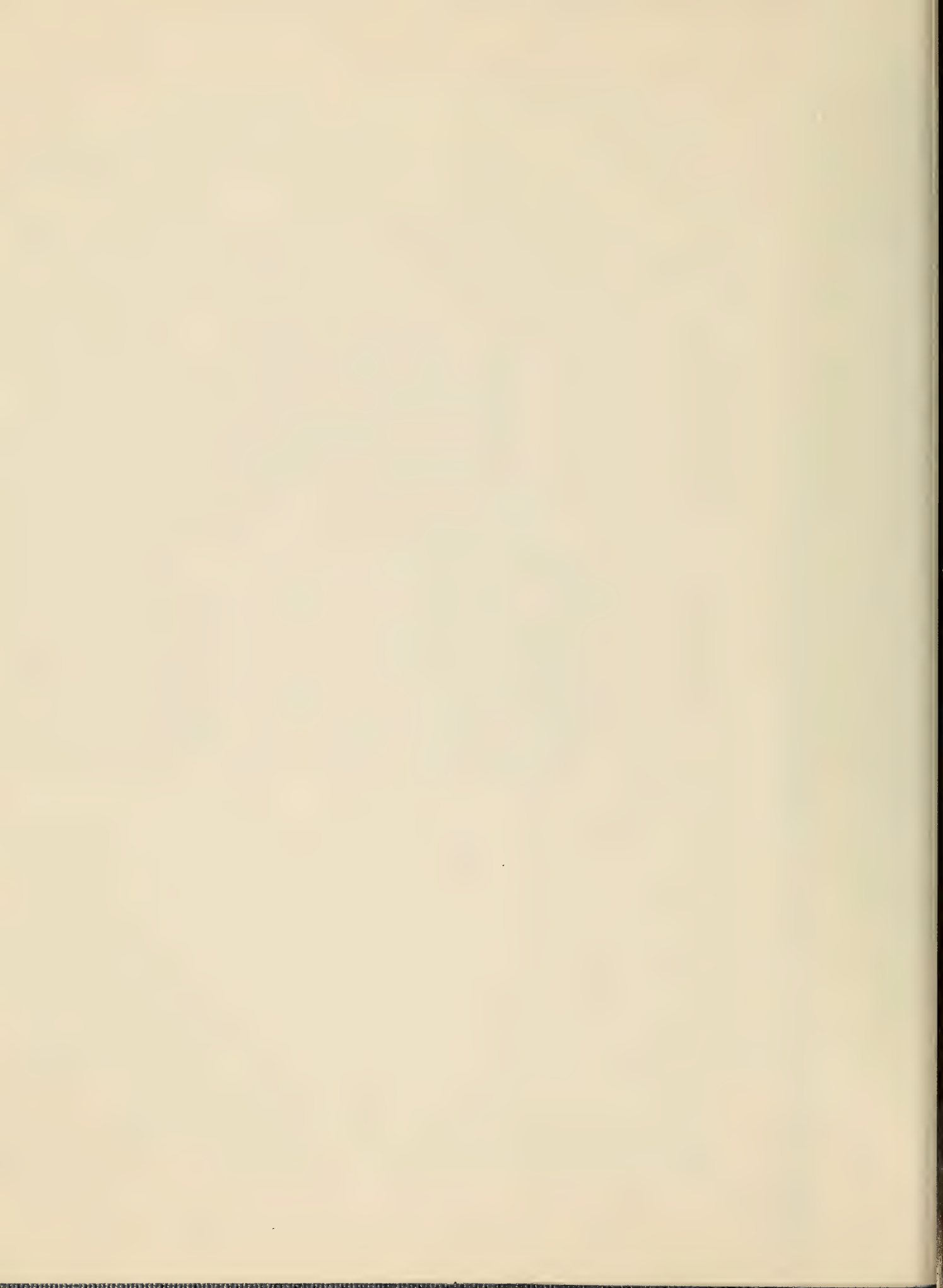
Dept. of State

Cabinet Office, 8th May 1826.

Sir,

At a time when I know you must be very much engaged with Official Duties, I cannot the necessity of requesting your attention to any thing that shall tend to increase them; but the Patent Laws are so inefficient, that complaints are made from all parts of the Republic, of the unprotected State of the Arts & Sciences. I have revised every section, & made every alteration that I conceive to be necessary, & have given, in another paper, my reasons, at large, for every alteration thus made. These have been in the hands of the Judiciary Committee, of which Mr. Webster is Chairman: but he says nothing can be done in the business this Session. If the Committee would expend one hour in considering it, they might report thereon: & from so very respectable a Committee, what they would recommend, I have no doubt, would be adopted by the House. My Public Duties have suffered, repeatedly, by my not having the liberty of franchising & receiving letters free of postage. The Hon. Post-Master Genl is so convinced of the propriety of this, that he informed me if I would write to the Committee on ^{Post Office &} Post-Roads, on the subject, he would give his opinion in writing, to the same honorable Body. -

If the Judiciary Committee should not incline to act on the Patent Law, I was in hopes they would have taken into consideration my salary. I would rather execute the Duty of the Treasurer, the Register, the second controller, or some of the Auditors, for \$2000: being all generally duties of routine, than the Duties of my Office for \$3000, yet they have each \$3000, & I have only half as much, & not more than the common clerks of the Office, or the Door-keepers of Congress! - A Bill, reported to give me an additional Clerk: But this only diminishes the Duties of the clerks, & lessens not my labours: for I correspond with the whole Nation, on the most difficult Subjects, & every Letter is written with my own hand, and every patent issued by me, amounting now, to double the number that were



issued when the Hon. Robert Smith appointed me to a salary of \$2000.
per annum.

I understood that wishing to diminish their labours, the judiciary Committee have requested my claims & salary may be submitted to the Committee of Claims, of which Mr. Williams of South Carolina is the chairman, but which Committee is generally conceived to be, not very propitious to my claims, however just: and I have not waited on any member of Congress, for I think it proper to permit whatever I claim to rest on its own merit, rather than on the private favours of Individuals, however respectable, influential or powerful; and in thus pressing to address you, & to request your attention to this subject, I should be very unwilling to solicit any thing that you may deem incompatible with your public duty.

I am, Sir, with the highest respect & considⁿ

Yrs. &c. William Thornton

President of the United States.

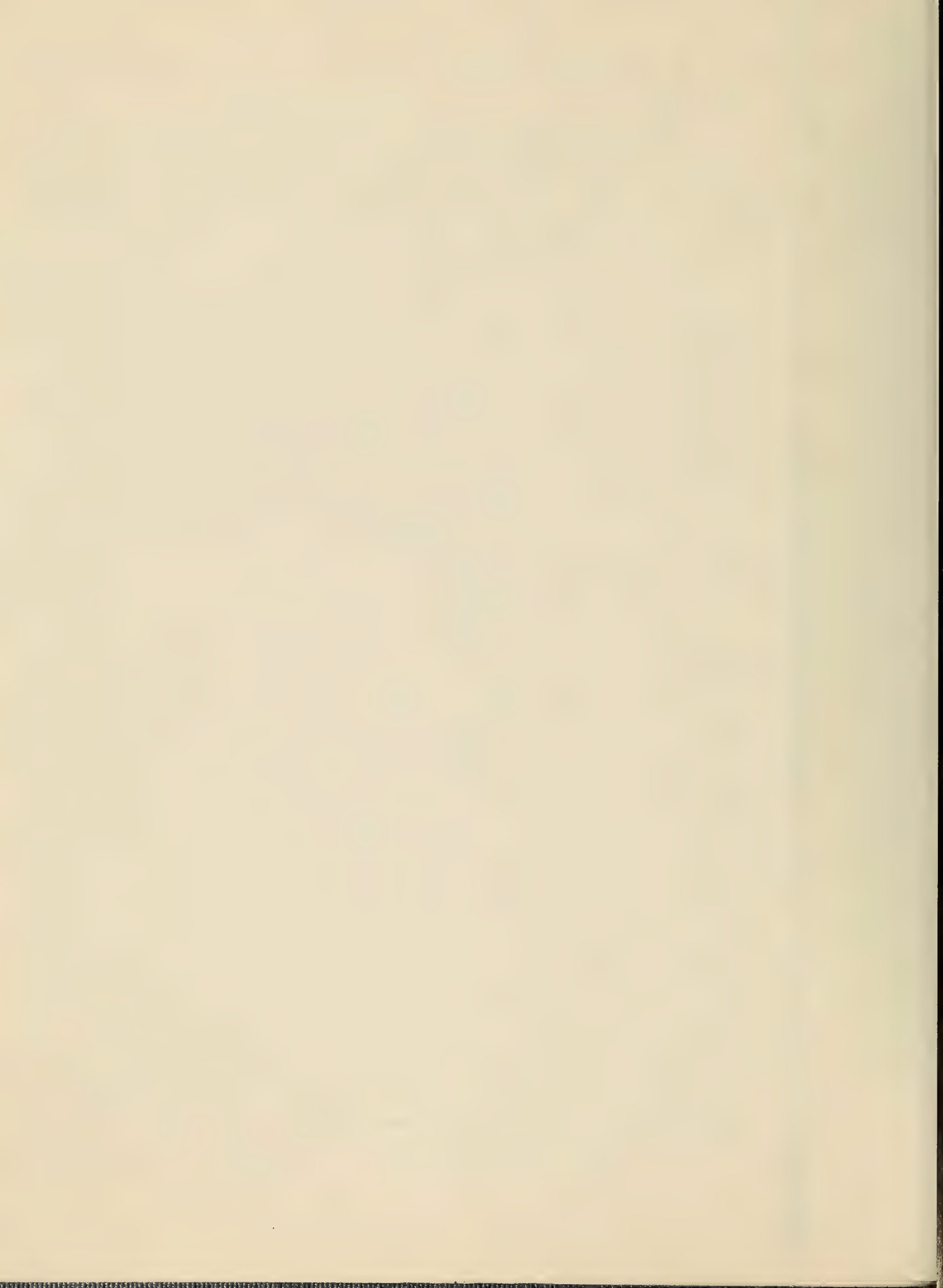
(59412) 88

Dear Sir,

Dept of State

Patent Office. 8th May 1826.

As the Patent Office is a branch of the Dept of State & I have not the power of franking & receiving Letters free of postage, I am obliged to send all the public letters & Patents to the Secy of State, to be franked: he is often engaged in Council & they delayed. I have also been obliged to open the Letters addressed to me in the Post Office, and send the public Letters to the Secy of State to pay the postage, obliging him thus to keep an account of all the public letters sent to me & not only subjects him to much inconvenience, but this delays also those Letters which often come from great distances, & thus many posts depart before the Letters can be answered, which involves the citizens in unnecessary difficulties that can only be corrected by giving to the Superintendent or Director of the Patent Office, the power of franking & receiving Letters free of postage, that amount to not more than two ounces, having large pack-



Patents still subject to the Secy of State.

To grant the banking privilege to the Patent Office, has been recommended by every President & every Secy. of State, for they have successively experienced the inconveniences of this power not have been granted, tho' frequently promised.

I submit this with the greatest deference, & am.

Gentlemen with the highest respect & consideration.

To The Congress of the United States.

William Thornton

(262-1)

Patent Office, 16th June 1826.

Dear Sir,

If the Hon. Secy. of State has ordered the arrangement you mention, respecting the Patent Office, I am satisfied, otherwise I will not permit Mr Elliot or any other Gentleman to make the arrangements of my Office. - I feel sufficiently the degraded state in which the late Secy. placed me, by directing all the Letters of my Office to be opened by others, to prevent any direct encroachments on my station without consulting them. - I served under Mr. Madison, Mr. Monroe, and Mr. Rush, and no letter directed to my Office was ever opened by any of them, nor was there ^{over} a Dollar missing. - I have no objection to the arrangement, but any regulations respecting my Office shall never be made by any other than myself, except the Secy. of State, to whom only am I amenable - I mean not in any respect to reflect on you, for you have always acted towards me with the most polite feelings. -

I am, dear Sir, very respectfully, Yr^s Vc.

Wm. Thornton Esq.

William Thornton -

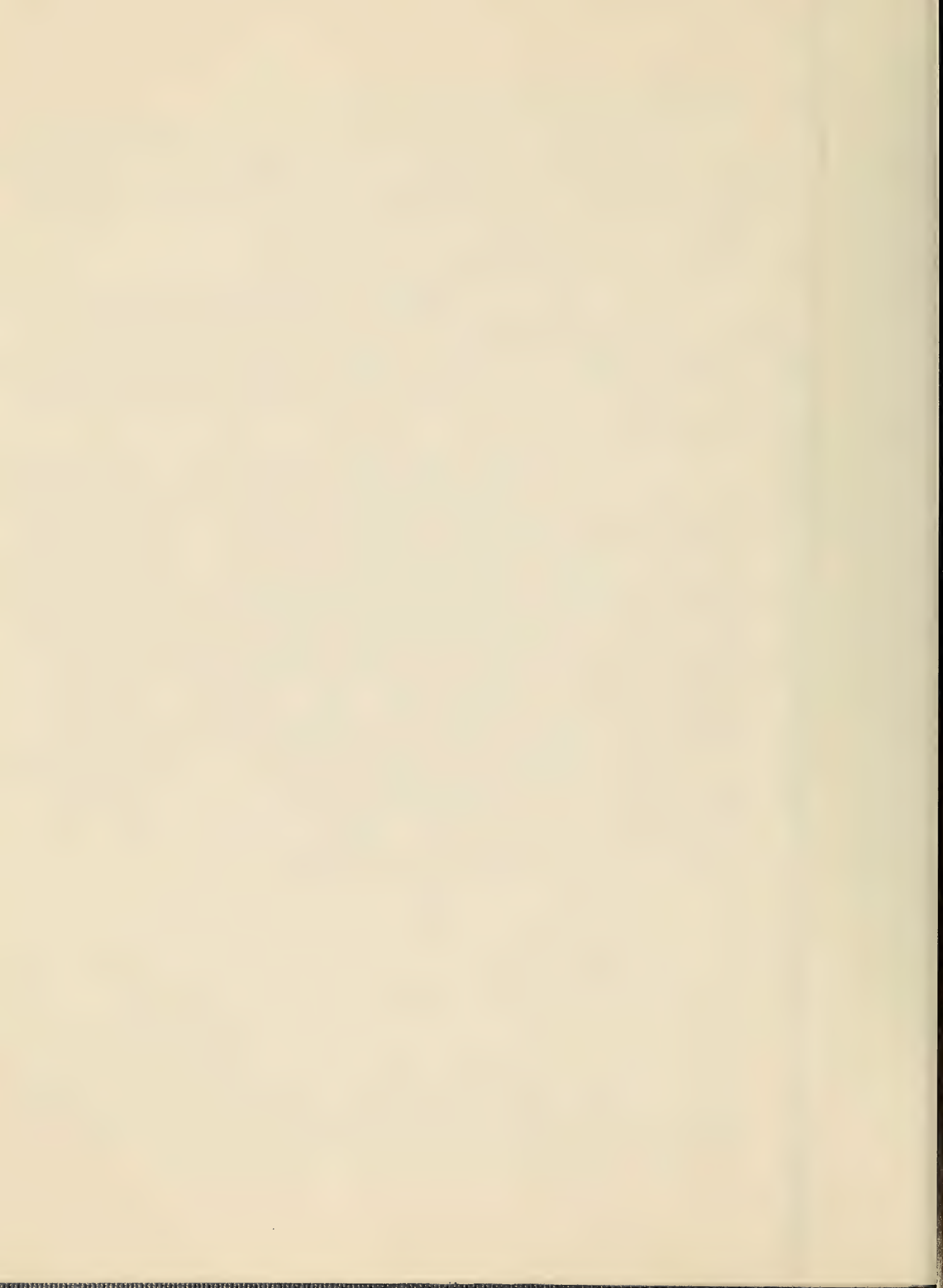
(262-1)

Dept. of State.

Sir,

Patent Office 16th June 1826.

The Drawings of this Office amount to many thousands, & they can neither be reduced or enlarged with ease, without a Pantograph, which will cost \$40. With your permission I will therefore obtain



19
one, from Mr. Pishy Thompson, & send his account to the Dept. of State.

I am, Sir, with the utmost respect, &c.

Hon^{ble} Secy. of State of the U. S.

William Thornton End J916

August 1st 1826.

Dear Sir,

I am truly sorry that you have sent us Coal that will not burn. Last year we were without fires half our time & have most of the Coal remaining still. - I was in hopes after what I said that we might have been permitted to lay in our own Coal. I beg that this small coal fit only for Blacksmiths may be taken back, because we can not use it.

Very respectfully &c.

Daniel Brent Esq^r

W. Thornton -

End J916

(82 words)

Department of State

Dear Sir,

Patent Office 18th Aug^r 1826.

The sixth Vol. of Dobson's Encyclopedia was loaned to Mr. Colburn ^{while in the Dept of State & was never returned} - It is therefore probably lost, & is to be found in the Library of the Dept. - The last vols. from the letters S. A. P. were never received, & I request you to send to Mr. Dobson for them to complete the work.

I am very respectfully, &c. &c.

Daniel Brent Esq^r

William Thornton

Dept. of State

End J916

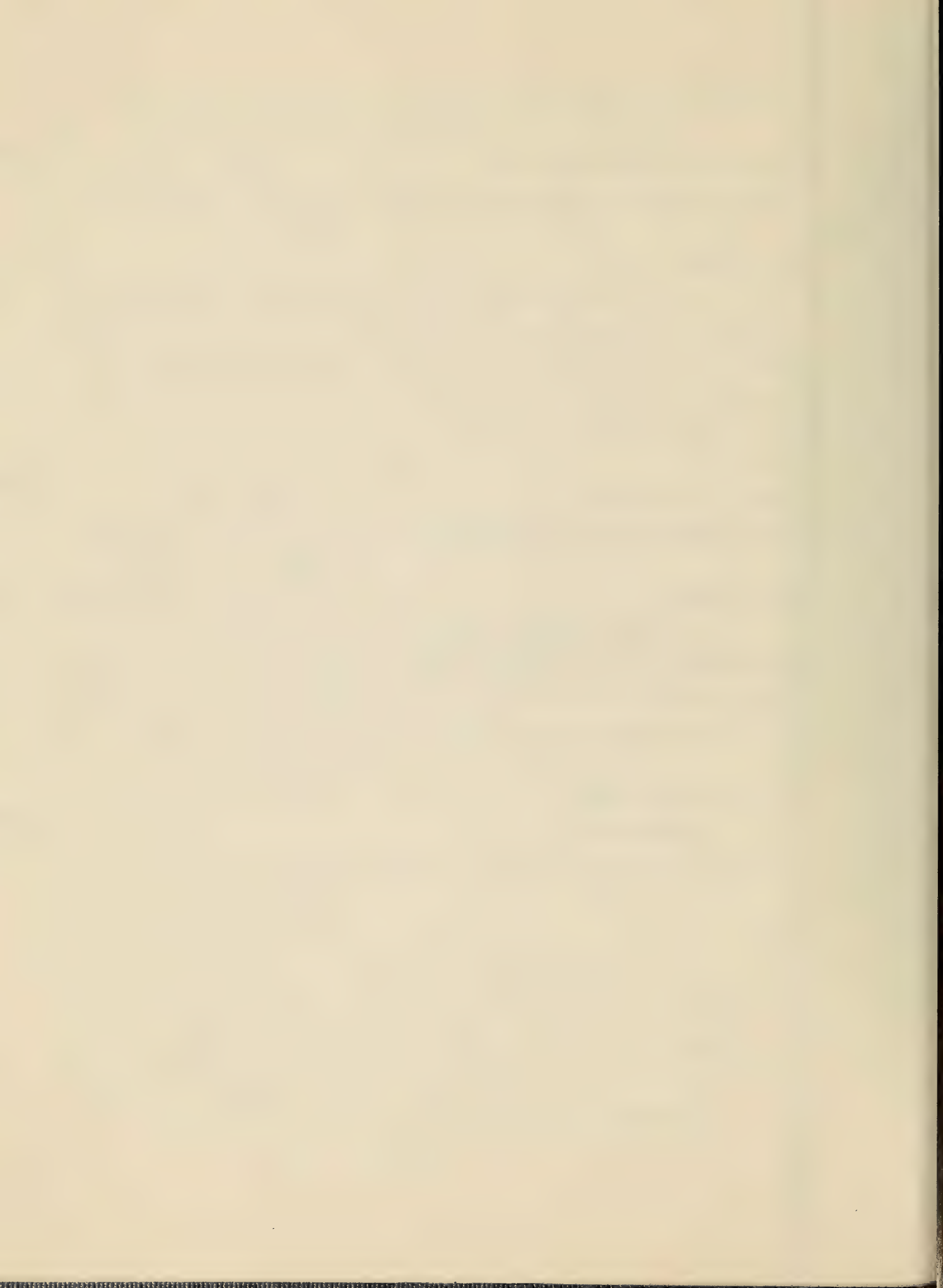
(100 words)

Dept. of State -

Sir,

Patent Office, 28th Nov^r 1826

I consider it not only a duty to my family & myself but to those Gentlemen who are in my Office, & consequently to the public, through an attention to them, to give a candid statement of the Clerks required in the Patent Office, necessary to perform the current business, and to submit, with great deference, whether the Superintendent & the several Clerks are not entitled to be con-



250
sidered by the Government in the same light as persons employed in the secondary branches of the various Departments of Government, and to be provided for with as much liberality, for it will be universally admitted that the duties require at least as much learning ability and attention as any of these. -

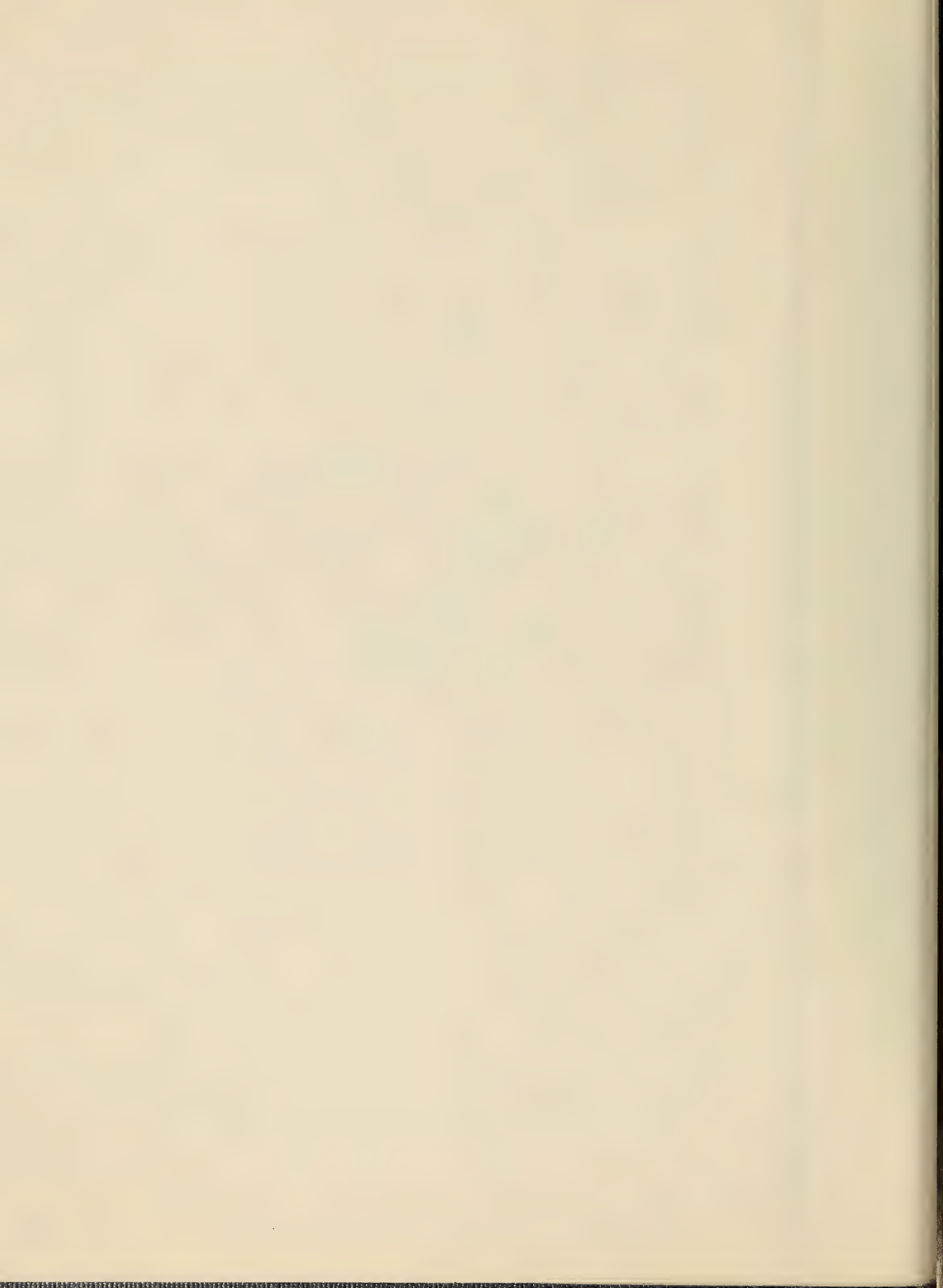
It will require two Clerks to copy Specifications of Patents, to index and arrange the Papers, & answer the numerous Enquiries, assist in answering and recording Letters, respecting Inventions, & interferences &c.

It will require two Clerks to record . . . the Patents handsomely in Books, to arrange the Drawings, and to make out a proper Index &c.

It very frequently happens that the papers sent to this Office are incorrectly written; it therefore requires more of intelligence & good Education to perform the duties of copying, recording &c.

As this Office is a Section of the Department of State, & the high duties thereof were performed by a Board consisting, the Secy. of State, the Secy. of War, & the Attorney Genl. of the United States, it cannot be considered as an Office of small importance, especially as its duties have increased at least six fold, and as the business increases must of course become more & more difficult, because the numerous Inventions & Improvements have always to be referred back, to what has been done; so that the labours are not increasing merely by numbers, but in a compound ratio; which is not the case with any other Office, where the Business is a matter of mere routine, and the labours finish with the day, & are not subject to an eternal recurrence, - requiring a continual stretch of memory & an attention to all the Arts & Sciences, not only known, but in progression; increasing the correspondence of the Superintendent accordingly. -

This Office stands in the same relation to the Department of State that the Genl. Land Office does to the Treasury Dept.



and that the Officers of the Auditor & the Pension Office, do
in the various Departments of which they are branches; and as
the duties enumerated require at least as much talent & industry
as any of the above, it would be but reasonable that those
who are employed should receive the same compensation that the
Officers have enjoyed under the Classification law of 1818.¹¹ If this^{be} admit-
ted by the Hon^{ble} Secy. of State, through whom a very extensive Corres-
pondence is daily passing, it is hoped that the labours of this Branch
of his Department will claim his Official attention, & that so im-
portant an Office will not fail to engage his support. It was
deemed worthy of the attention of President Madison, who, as an
enlightened, scientific Gentleman & Statesman, few have ever equaled.*

According to the Salaries of the various Auditors, Commiss:
of the Land Off^e & those under them, the Provision for the Patent Of-
fice would require - For the Superintendent. . . \$3000 ^{per} annum,
with the liberty of searching & receiving Letters free from postage.

For Senior Clerk from 1400 to 1700 ^{per} ann^m -

For three other Clerks, from 1000 to 1150 D^o -

For Messenger 700 D^o -

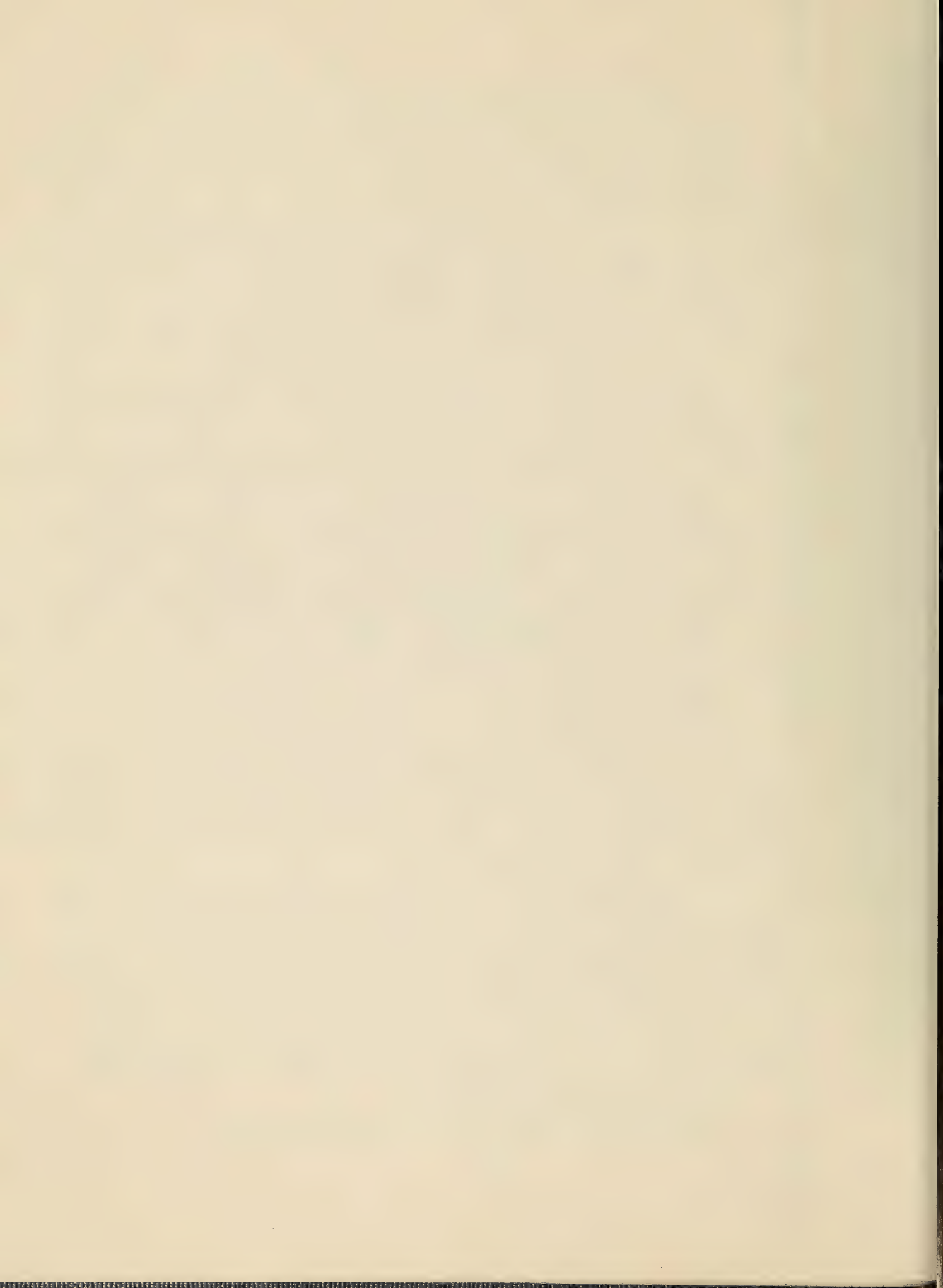
For Machinist 700 D^o -

I will here remark, that the above statement relates
only to carrying on the current Business of the Office; & should it be
required to bring up the record to the present time, it will require
additional temporary aid. -

This Office has never enjoyed its proper rank: it is an
office which has done much to encourage & perfect the useful
& liberal Arts of this Country, & from which a considerable revenue
has been derived. It has produced, during the last seven years,

¹¹ See an Act to fix the Compensation of Clerks &c. in the diff. Off^s Vol:
6th ch: 369 P. 318. Laws of the U. S.

* See his Message to Congress on retiring from Office.



at the small rate of \$30 a patent \$42,000; and I will here beg leave to suggest that a suitable Building be erected for the Office & models in a convenient place, out of the money received for Patents. — I have no doubt that from the commencement of the System of issuing Patents — between \$50,000 & \$60,000 at least have been received in the Treasury, after deducting every expense relative to the Patent Office.

I have the honor to be Sir, with the highest
respect & consideration
Yr. Obedt. Servant.

Hon^{ble} Henry Clay —
Secy of State of the U.S.

William Thornton

(1015. wds)

Dear Sir,

Please to state to the Hon^{ble} Secy of State that the bearer, Mr. Mygatt has an American work for sale, entitled the Mechanics' Magazine which would be useful in the Patent Office if he would permit a copy to be purchased for the use thereof. — The price is \$3.

Very respectfully

Daniel Brent Esq^r

W. Thornton

End
14/12
Dept of State —

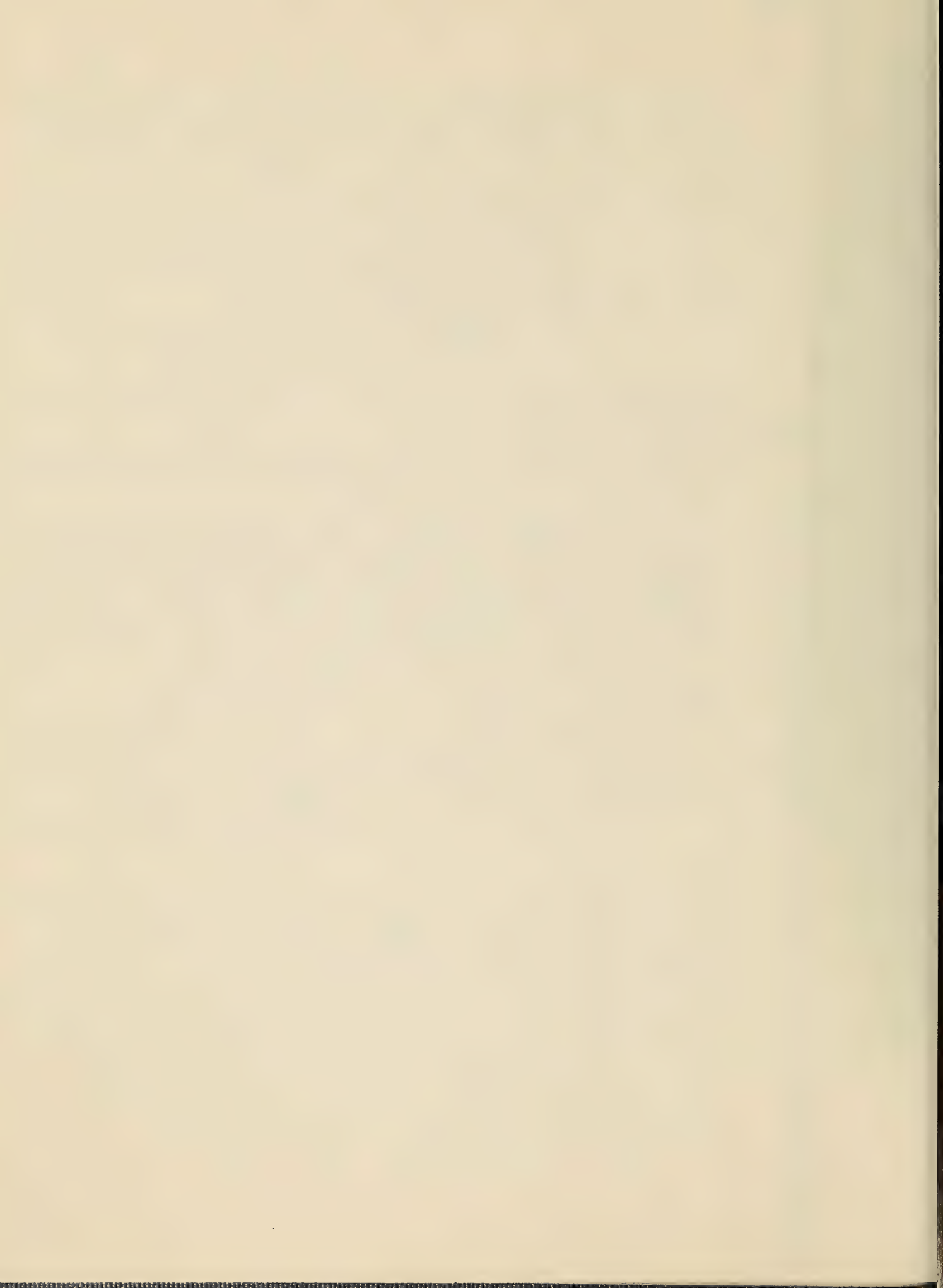
12th Dec^r 1826 —

Department of State

Patent Office 9th March, 1827.

Sir,

Mr. Little was engaged by the authority of the late Secretary of State in recording Patents & when the subject was reported on by the Committee of Congress, & considered in the House of Representatives it was so approved as to pass that House, & by the Senate it met with no opposition, but was introduced at so late a period, as to be excluded from consideration. As it is a duty that must finally be fulfilled, I presume the sooner it is encountered the better, & it appears perfectly under the control of the Secy of State,



by the 11th Sec^y of the Patent Law of 1793 - Indeed whatever Duties are required in fulfilling the Law, relative to the issuing of Patents, appear to be provided for in the same Act, & to be completely under the authority of the Sec^y of State, except where Congressional Acts have fixed the compensation of the persons who are engaged in executing the Law. And though the compensation of the recorders of Patents has been placed so very low, and it would not be prudent to exceed that small sum, yet the voice of one House of Congress having been made known, I presume no person could object to the continuance of the duty thus approved & thus limited. - Mr. Little's abilities are so well known that I have deemed it unnecessary to make any observation on that subject. - These impressions are submitted with the greatest deference & respect. -

I am, Sir, with the highest respect & consideration -

Hon: Henry Clay, Sec^y of State
of the U. States.

William Thornton

(312 wts)

End
JTB

Daniel Brant Esq.

Dear Sir,

Not knowing when the pressure of other business will permit the Secretary of State to look into my affairs, I thought it best to request you when you conceive him to be sufficiently disengaged to present him with the enclosed Account. I cannot but hope that he will determine to continue this work through another year, but if not, it is of great importance to me to get paid for what I have done. -

I am, Sir, with great respect Your most obed^t

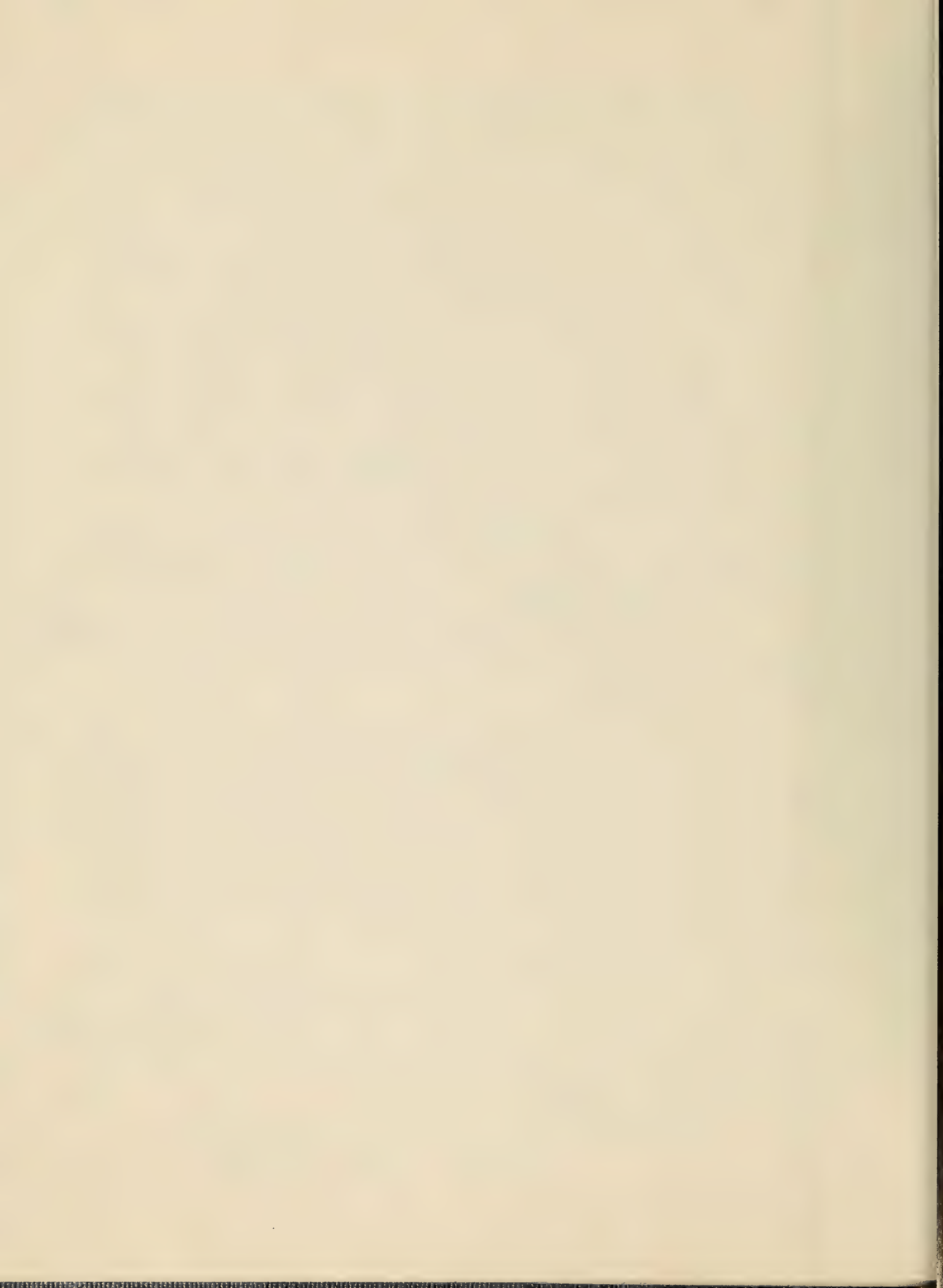
March 9. 1827.

Robert Little

(9th wts) JTB

The Hon Henry Clay
Secretary of State.

Sir. By the permission and ad.



one of my friend C. L. Trumbull I enclose you a copy of the Report made by the Committee of the H. of R. on the affairs of the Patent Office. Though the direct object of this report was not obtained at the late Session, yet it is presumed that enough was elicited by it, to induce you to order payment for my past services, and to continue them by the aid of the contingent fund of the Department, until provision can be obtained from Congress more effectually to fulfil the Law.

I am Sir, Your most obedient

Ex^{ist} Washington

Robert Little

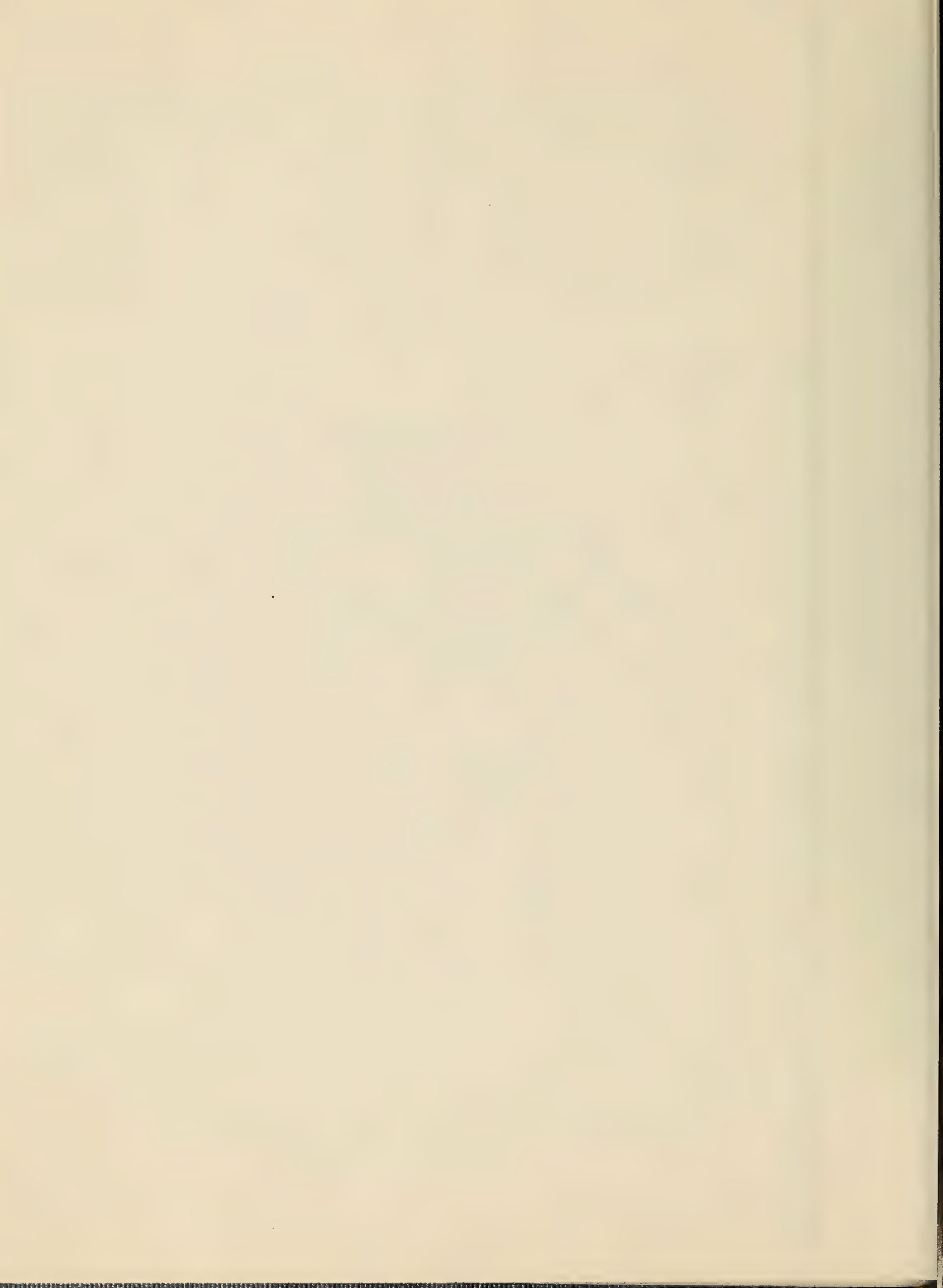
March 5, 1827.

(117 wds)

The select committee to whom was referred so much of the Report of the Secy of State of the 13th of Jan^y 1827 as relates to the Patent Office. Respectfully report-

The Patent Office was established by an act of April 1st 1790 "to promote the progress of useful arts". That act was repealed by the act of Feb^y 1793 and the Office since that date, has been regulated by the provisions of the latter act. This act secures to inventors the full and exclusive right to their respective inventions and improvements for the term of fourteen years. It requires each inventor to file a petition and deliver a written description of his invention or improvement, and of the manner of using it; and in the case of a Machine, he is to give a full explanation of the principle, and the mode of application. These descriptions or specifications, together with the Models, specimens, drawings and written references are to be deposited in the Office and preserved for the use and benefit of the inventor and the public.

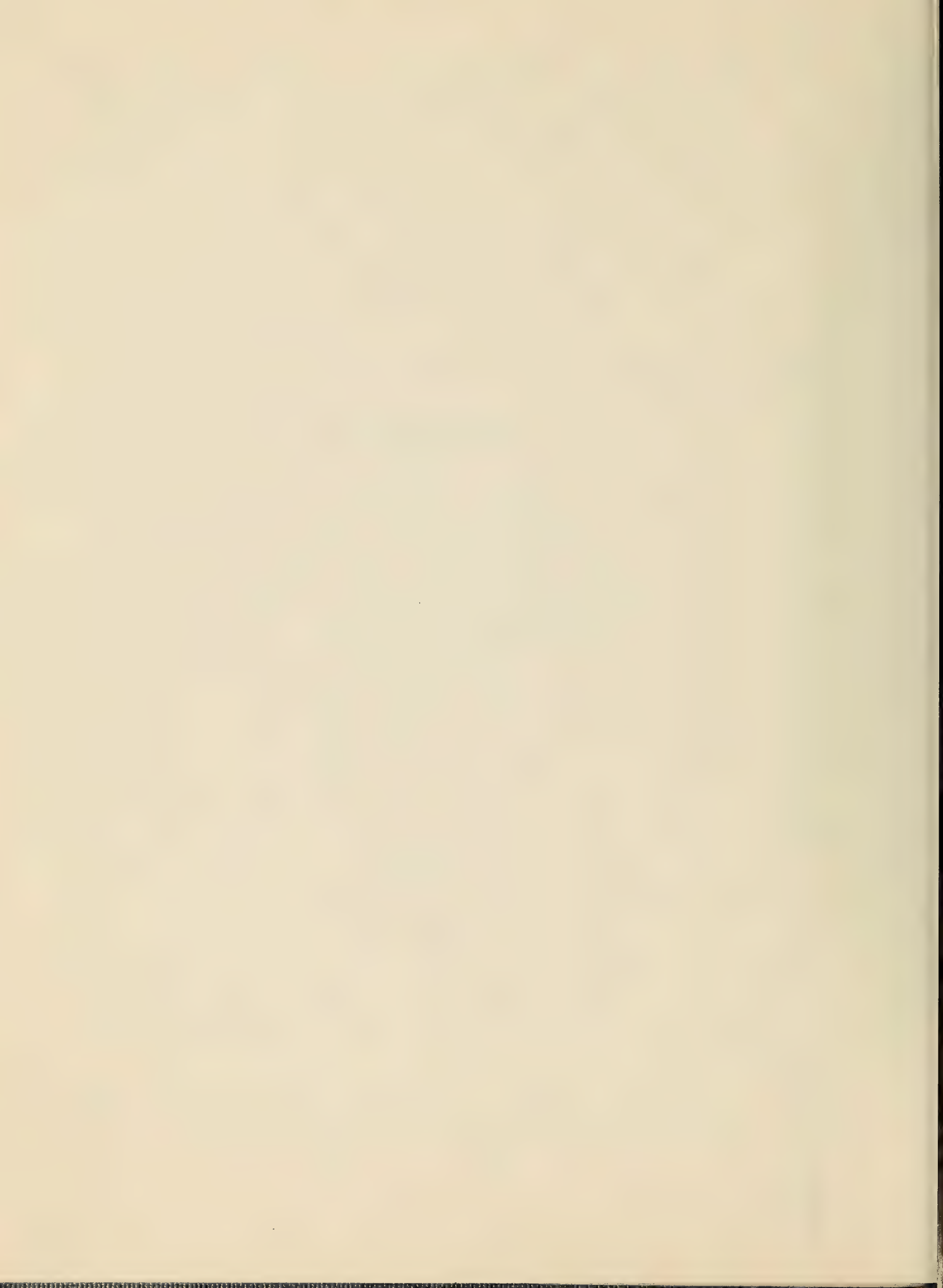
Each inventor is allowed to take out a patent for his invention or improvement, upon his petition and specification, and the act declares that the same "shall be recorded in a book kept for that purpose in the Office of the Secretary of State".



The Law further requires, each inventor to pay thirty dollars into the Treasury of the United States, before he presents his petition for a patent and declares that "the money thus paid shall be in full for the Survey Services to be performed in the office of the Secretary of State consequent on such petition, and shall pass to the account of Clerk hire in said office"

The Committee have thought proper to refer to the House to some of the requisitions of the act of 1793 for the purpose of showing that the Government undertakes to perform "Survey Services" for each patentee when it grants a patent, and requires from each an equivalent for those services. Upon inquiry & examination at the office it is found, that the Government has failed to perform a part of those services; and that the failure has already been injurious, and is likely to become much more so, to the public, as well as to the patentees. None of the Patents have been recorded as the Law requires, from the year 1802 to the 4th of March 1825, and the Committee is satisfied, that the failure is owing to the want of the requisite assistance of Clerks in the office. The Law allows only one Clerk to assist the Superintendent, and it is believed that two are indispensably necessary to record the patents as they issue, and perform the current business of the office. The present Secretary of State directed an extra Clerk to be employed in the business of recording patents, and with his assistance the patents issued after the 4th of March 1825 have been duly recorded up to the 1st of May 1826. No provision was made for additional Clerks at the last Session of Congress; and the extra Clerk was dismissed; the consequence of which has been that the Patents issued since the 1st of May 1826 are yet to be recorded. —

The Committee consider it proper to inform the House that the Models are not kept in preservation, and



that the utility of the Model Office is very much diminished in consequence of its damaged condition; the models being placed on the floor and shelves of the office, in the most irregular manner, without any system, order, or classification.

It is the opinion of the Committee that the Government, after receiving from Patentees an equivalent for its services, is bound in justice to them and the public to apply the money in performance of its promises; and that the failure on its part to have the Patents properly recorded, and the models properly preserved is in contravention of its statutory stipulations. It is the interest of the public & the Patentees, that the records in arrears should be brought up as speedily as possible, and that in future the business of recording should be done, if possible, as fast as the Patents issue.

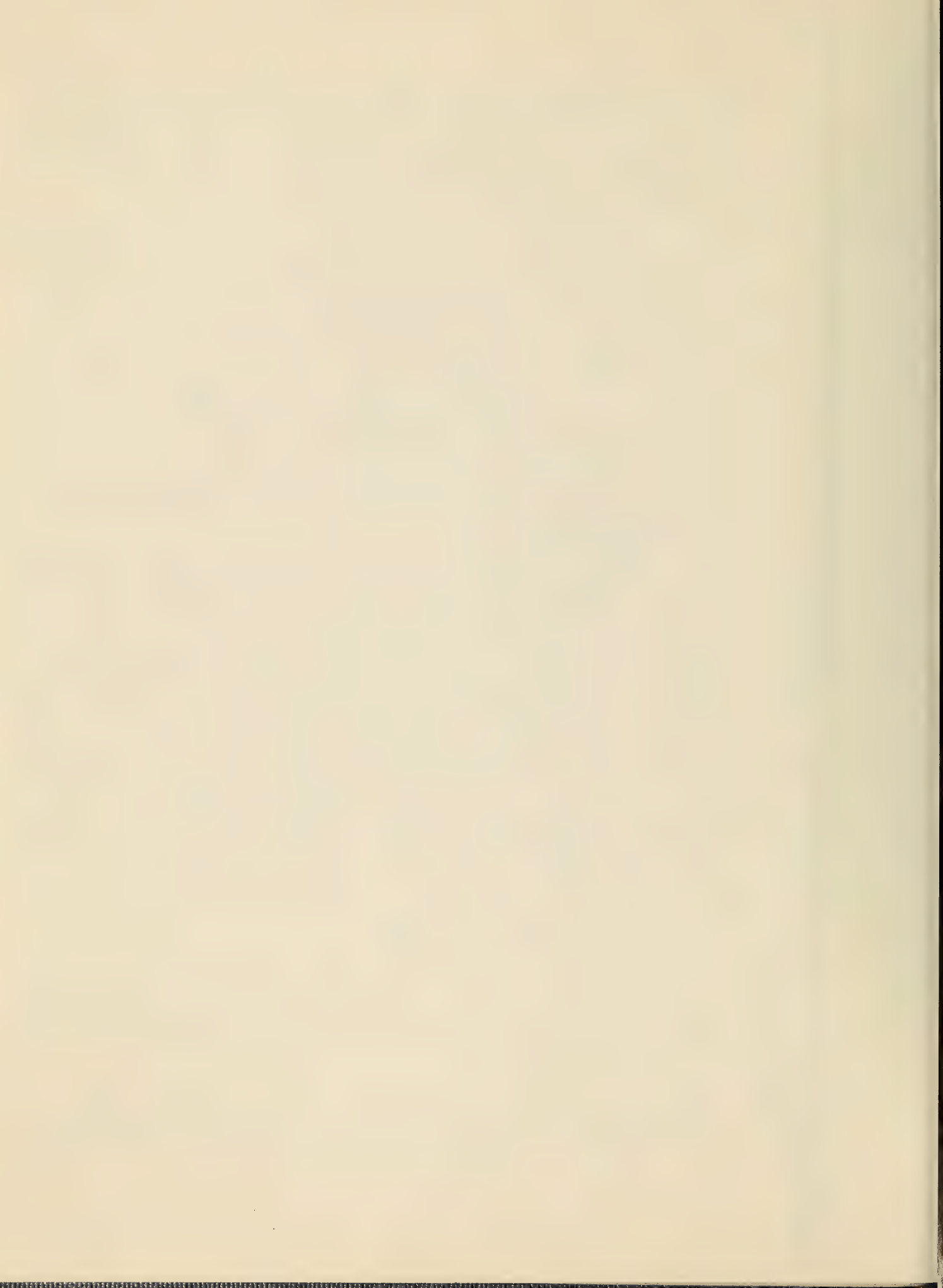
The amount of money received into the Treasury for fees on letters Patent from 1793 to 1826 is £135,690; and the disbursements during the same time was only £63,757. It is certain that there is a balance of at least £60,000 in the Treasury, applicable under the law of 1793 to the account of Clerk hire, in the Patent Office, and it is manifest that the proceeds of the office are nearly double the amount of its disbursements, including salaries, Clerk hire, and all other expenses and contingencies whatever. It was not the policy of the Law, nor the intention of Congress, to make the Patent Office a source of revenue; and the Committee can see no reason why the Money in the Treasury to the account of Clerk hire, should not be applied to the services of the Office.

It is believed that one or two extra Clerks ought to be employed in the business of recording patents until they bring up the Records in arrears, and for that purpose the Committee ask leave to report the following resolution —

En
S.R.

(117)

W. Thornton's respectful compliments to the Hon. Secy of State, &c



27
is the enclosed, as it appears to be of a private nature.

Dept. of State Pat. Off. 12th Apt. 1827. E.S. 116

(S. W. S.)

Hon^{ble} H. Clay,

Vincennes March 22^d 27.

Sir,

I recd^d yesterday a letter from Hon^{ble} Jennings dated 1st March informing me he had failed in making the deposit of \$30. in the U. States Treasury, which I spoke of in my letter to you enclosing the necessary papers for a patent of the Family Spinner.

I must respectfully solicit your attention, to patronize and aid me in this useful machine. Enclosed you have a blank deed for the District of Columbia and Maryland, which any Gent or Comr. can give on the payment of the above sum in the U. States Treasury. I challenge the best Artists or Mechanics to show a well grounded objection to this Spinner. I am well assured this machine will be introduced in the different Woollen Factories. If this scheme should fail to raise the money, please to let me know, I have sold conditionally. If its patented 3 of the Southern States for \$1000. I have directed my Brother Rags to exhibit this machine to the Lexington Agricultural Society. -

Ever grateful to this will be amply reciprocated by

Yours friend & humble Serv^t

Hon^{ble} H. Clay

Wm R McCall

E.S. 116

Dept. of State -

Patent Office, 11th May 1827.

Dear Sir,

Mr. Elliot waited on the Hon^{ble} Secy of State with the papers of Mr. Sealy, for a patent for ornamenting Cider & Beer Cans with ornaments of glass instead of metal. - The application is not for a new and useful invention in this case, but only for an ornamental invention, by merely changing the substance which the second § of the Patent Law of 1793 declares "shall not be deemed a discovery". - When I refuse to issue a patent positively against the

The express Letter of the Law, Mr. Blagrove applied to the Hon: Atty: Genl but he has not received an answer. — The Atty: Genl could not be expected to give an answer till the query was officially put to him, through the Hon: Secy of State for as the Attorney Genl has to certify that the Patent has been examined by him, & he finds the same conformable to the Law, it has always been deemed the duty of the Hon: Atty: Genl to decide Questions of this kind, & the mode of approaching him is only officially through the Hon: Secy of State, who has never been considered as subject to investigations of this troublesome nature. —

I am dear Sir very respectfully &c

Ed
25/10

Daniel Barn & Esqr

William Thornton

1798. 10. 25

Dept. of State

Sir,

Patent Office 28th Augth 1824.

I understand that Mr. John M. Benham has applied to you in consequence of my refusal to include in his Patent what I know to be a public common right. He solicits a Patent for making Sinks by laying in layers of cement in the ground, round a Tube, which he will slide out as the covering of the cement progresses, & I stated that I did not know of any objection to his having a Patent for the same: but where he states that he meant to make Conduits for Water of brick & stone laid with the water proof cement, I objected his inserting these, as it included a common principle that would invade the rights of our fellow citizens in every part of the Union, and involve them in Law Suits; for conduits are made of stone and brick in many parts of this City, laid with Mortar & have been in use for more than thirty years; and it would invade a public right to attempt to prevent those who make such Conduits from using any kind of lime mortar they may please to purchase & use, for this Water resisting lime is but a poor lime, sold here publicly. — Besides the grant I made under the Statute made in the same manner. — I therefore think it my duty officially to protest against this intended violation of a public right. —

I am, Sir, with the highest respect &c

Ed
25/10

Thos. Henry Clay, Secy of State
of the U.S.

William Thornton

1798. 10. 25

Dept of State

Patent Office 11th Sept 1827

Sir,

Mr. Wood, the owner of this, is desirous of taking out a Patent for burning Bricks made of clay in the usual manner, except that he mixes powdered anthracite or Schuylk coal with the clay. I told him that I could not grant a Patent for this, as Mr. Lovell has used fine Coal, & clinders more than twenty years ago, mixed with the clay of which he made his Bricks, & Major Dalziel of the State of New York had mixed anthracite or Schuylk Coal powdered with the clay, of which he made his Ironmaces, & had patented the same on the 26th of Sept. 1823. This therefore is not a new Invention, & to grant him a Patent would only invade the common rights and privileges of the citizens.

I am Sir, with the highest respect & consideration Yours

Hon^{ble} Henry Clay
Secy of State of the U.S.

William Thornton

Exd
JPT

Dept of State - Patent Office

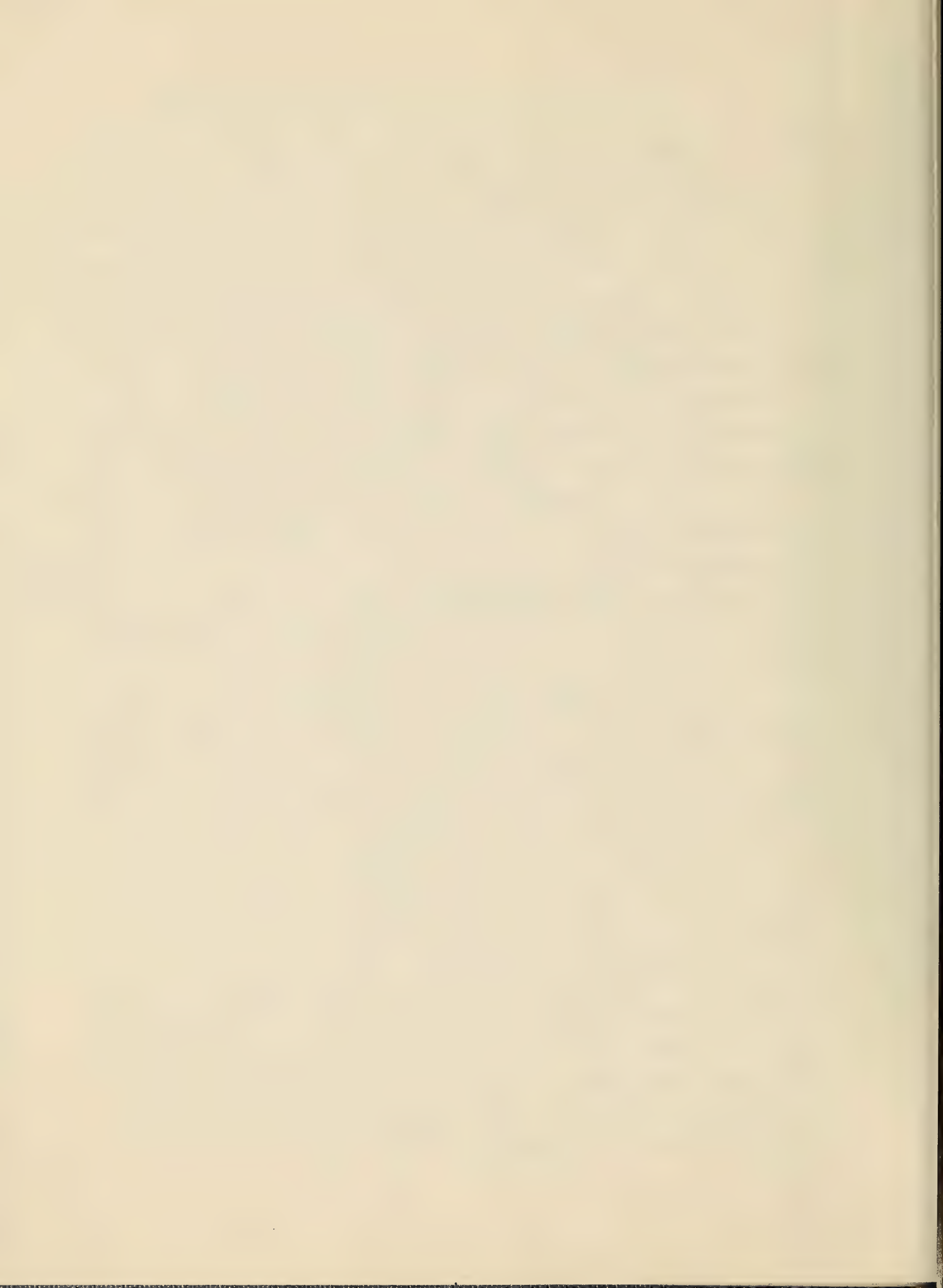
Feb'y. 18th 1828.

Sir,

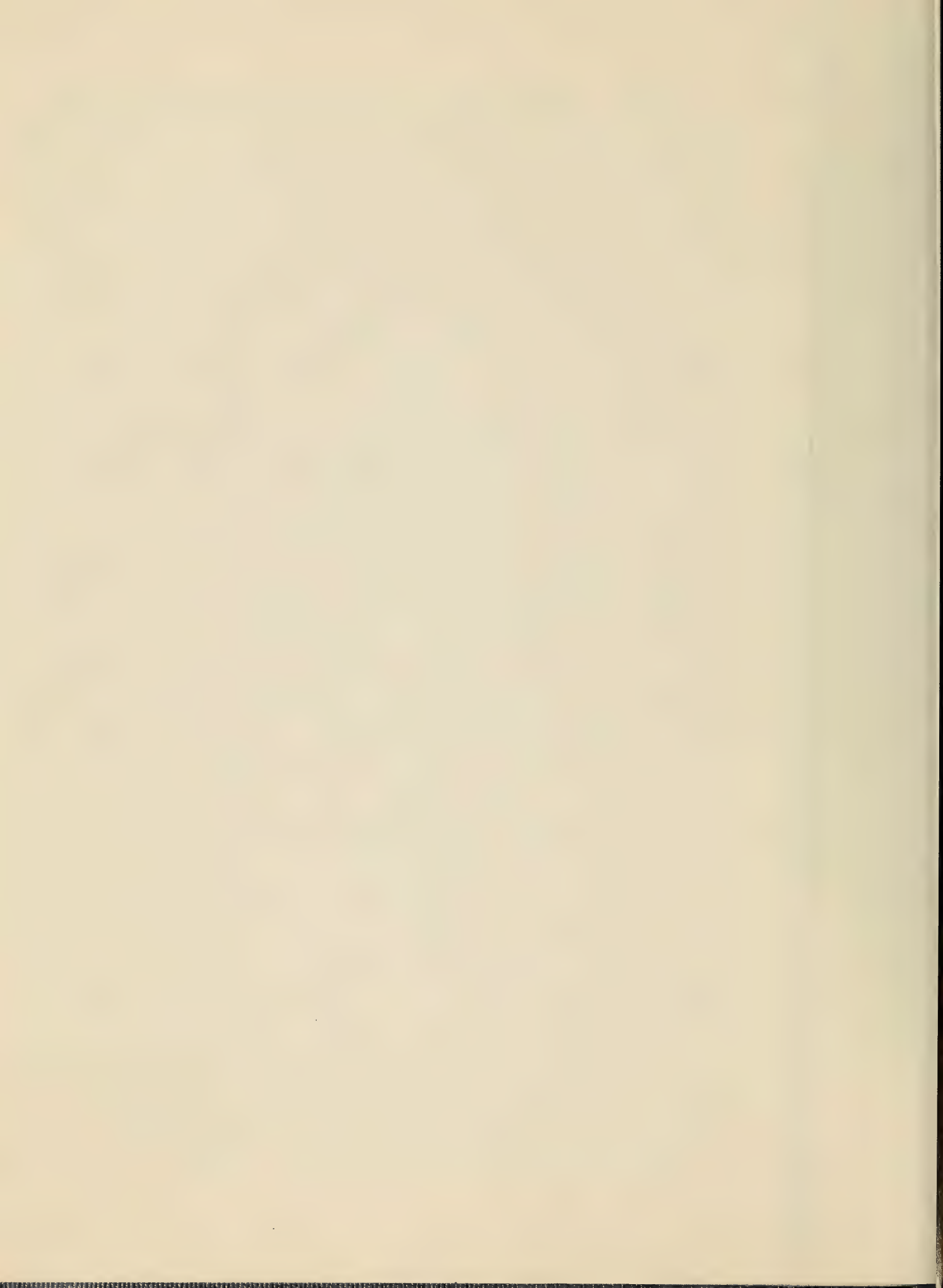
I am still confined to my bed by sickness, and very much lament that it prevents me from attending my Office, nevertheless my official duties are not neglected, as far as my ability permits, & I receive daily the letters & papers relative thereto, which I examine, & direct what is to be done. -

I have not been so long from my Office for these twenty years except from sickness, & I am in hopes that I am getting better, tho' at present nearly a skeleton. -

Mr Elliot & Mr Mc Intire who are engaged in executing the Duties of the Office, have been exceedingly attentive & hard, they work incessantly, but are incapable of going thro' the accumulating mass, & keeping up with the application for Patents, yet they are much less than the efficient clerks of any other Office. - Mr Elliot receiving but \$1000 & Mr Mc Intire but \$800, tho' they are men of good



Education, which the Office requires, & have large families to support: - They have both been sick by their labors, & I have thought it my duty to state to you, that I hope the Congress would not object to an increase of their salaries 200 \$ each. - Another Clerk will also be necessary to assist in issuing the patents, as you will see by a further explanation in this letter, & a good Clerk can hardly be obtained for less than 1000 \$ who is capable of executing such intricate & difficult duties. - Two recording Clerks will also be necessary, to record the Patents as they are issued. - The applications for Patents are continually increasing, & to defray the extraordinary expenses, yet to make some return to the Treasury, it might be well to increase the price to forty dollars the present year, & add ten dollars each year, for seven years to come, till the price for a patent should amount to 100 \$; at the present price they return to the Treasury 10,000 \$ - As the price for a patent in the year 1793 was 30 \$ (the year in which the Patent Law was revised) at which time the Census gave only three millions of People, at present amounting to twelve millions, a patent is of four times the value it was then, and by the gradual increase of 10 \$ a year for seven years, a patent will ^{still} amount but to 100 \$ which will be ^{still} more than three times as much, tho' in seven years the increase of inhabitants would be still so much advanced: - This would still be admitted as favoring the Manufacturing Interests, for in England the price of a Patent is more than 1200 \$ in France about 1000 \$. - It may also be necessary to state that many Individuals take advantage of the Law which permits the Specifications of Patents to be written with unlimited diffusion & some of them require in transcribing 20, 30, 40, pages on parchment. I lately indeed received some that would require a hundred pages of Parchment, which would take out of the Treasury for parchment twice as much as the value of the Patent puts in. - It is in consequence of so long patents that another Clerk is required, & it would be well, that a law requiring 20 ^{cts} for every hundred words in granting copies of patents should also be laid upon issuing of them. - I have thought it my



truly, on mature consideration, to say these subjects before you, which I do without the knowledge of the persons concerned. - The Messinger also receives less than those of any other Office white or black.

With respect to my own salary. I leave its consideration to those enlightened Members of Congress who are acquainted with my duties. Twelve years ago the Hon^{ble} Rob^t Smith, increased my salary to 2000\$ a year, but I only received part of it two years (as the Treasury Books will show), for the want of due appropriation in the Department of State. - I believe that many of the most intelligent Members of Congress knowing that mine are not duties of common routine, but that require continual recurrence to all that has been done for more than twenty years back, as well as a daily attention to all the wiles and snares now propagating, to prevent impositions, think me entitled to as much as the Commissioners of the Navy, the Land Office, & auditors. -

The above is most respectfully submitted, with the hope that you will be pleased to transmit it in any way you may think proper, to the Hon^{ble} Congress.

I am Sir, with the highest respect & consideration

Hon^{ble} Henry Clay,
Secy of State -

William Thornton

End
WHT

Dep't of State Patent Office

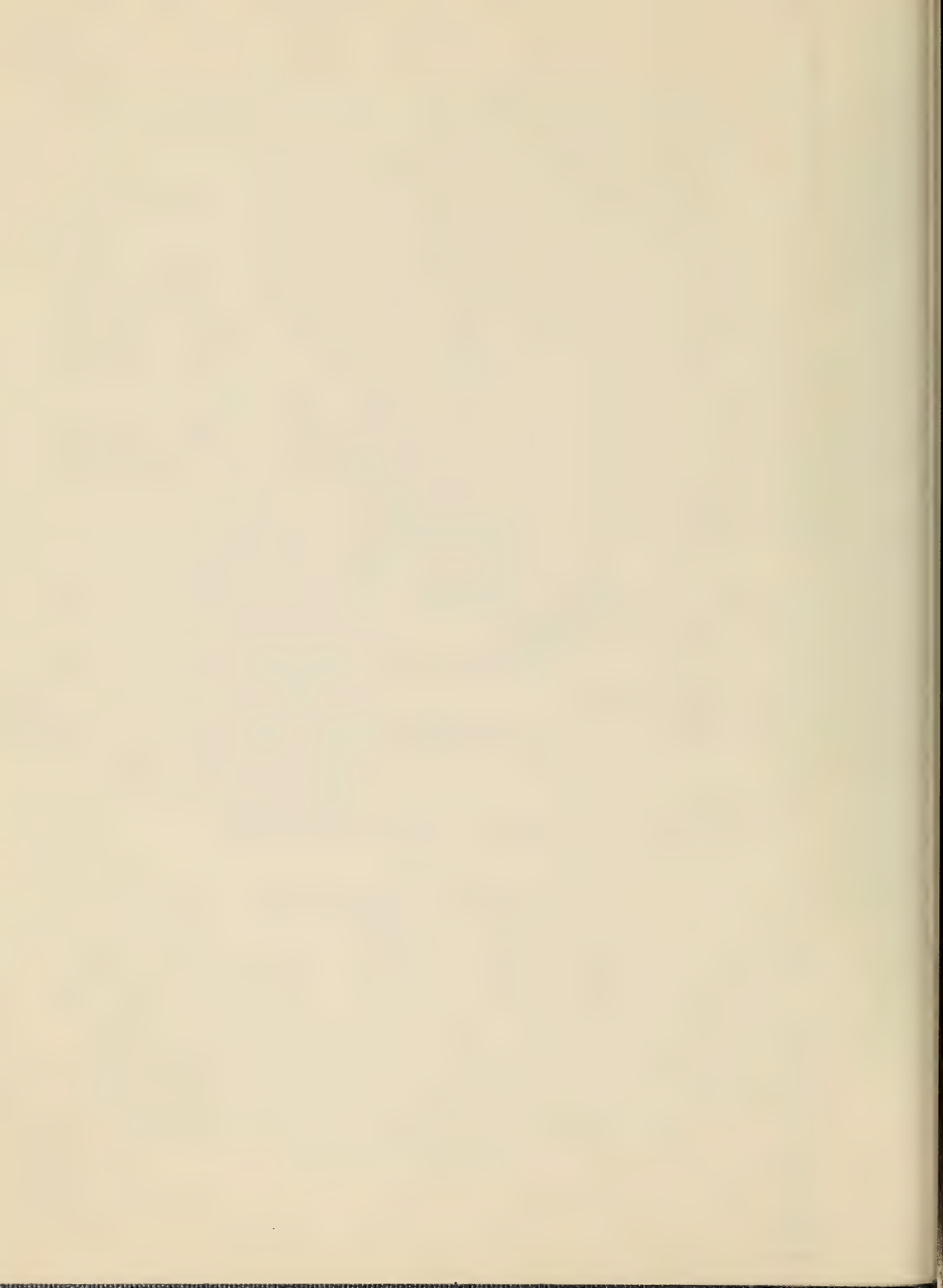
February 25th, 1828 -

To Henry Clay, Secretary of State of the United States.

Sir,

On Saturday last I called at your Dep't with a view to obtain your decision on three cases of Patents specially referred to yourself by the applicants: - Two of which by your direction were decided by Mr. Baile; he concurring in what I had written: but the third, (the case of the Hon. Mr. Foot's A. L. for Mrs. Bulkeley) still remains undecided: herewith you will receive a copy of my letter to Mr. Foot: of the correctness or incorrectness of my opinion you will please to advise.

I have at all times avoided giving any unnecessary trouble



to your Department: nor would I at this time do any thing to add to your numerous, arduous and perplexing duties, disserve the public interest, loudly demanded. Since the last meeting of Congress, the business of this Office has greatly increased, (54 patents having paid 50 dollars each into the Treasury, amounting to 2520 dolls. Since the 1st of Jan^y last); that Mr. McIntire and myself are quite inadequate to its performance. Besides Dr. Thornton has, during that time, been confined at home by sickness. There are at this time more than 20 patents applied for, and which are constantly written for, but remain unissued for want of sufficient Clerk aids.

This is, therefore, most respectfully to solicit the help of another Clerk for this Office, to perform the current daily business of the Office, and whose services will immediately be dispensed with as soon as you shall direct. It is to be hoped that the person sent, shall be a good, expeditious & correct writer.

Most of the patents applied for are by Members of Congress: who are exceedingly urgent, to gratify the wishes of their constituents. - I need not remind you of the numerous letters which are daily received on this subject.

I have the honor to be your obedient servant,

William Elliot, Senior Clerk.

Ed
1776

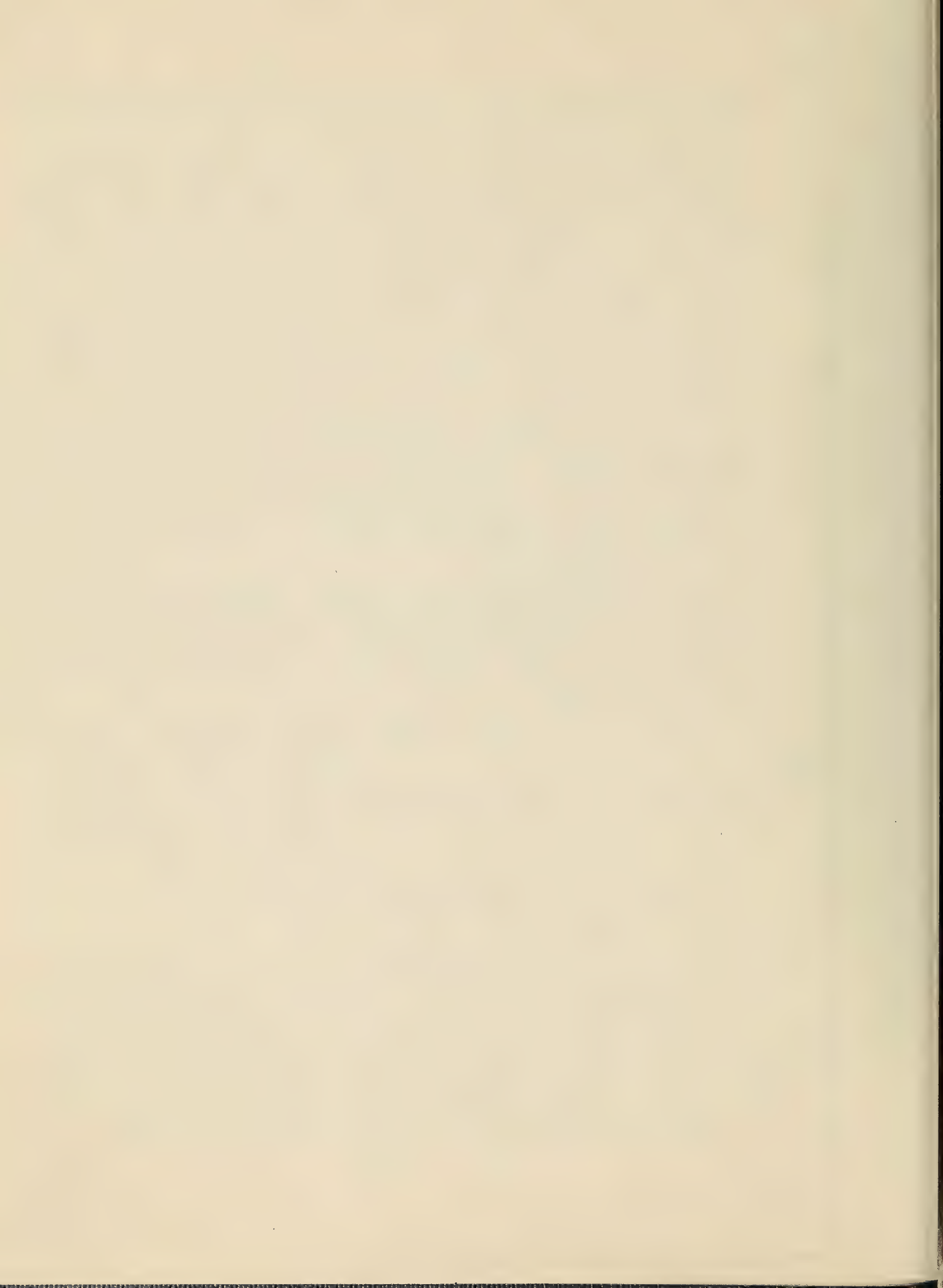
Dep't of State Patent Office

March 5th 1828.

To the Hon. Henry Clay Secretary of State of the U. States,

Sir,

Mr. Uriah Brown of this City, has produced a letter, signed by you, wherein it is stated, that he is to have free access to the papers, drawings and models of this Office, to procure copies for a work entitled "The Polymathist", edited by John Brannon and Uriah Brown. The object of this letter is to know from you, Sir, in what way you viewed this matter; and to learn whether they are at liberty to



take drawings of the models, free of expense, and without the consent of those depositing them.

I will here remark, that hitherto Dr. Harrison has uniformly refused such a privilege. I will beg leave to refer you to the 11th section, Laws of the U. S. Vol. 2, page 351 -

I have the honor to be,

Your much obliged & obedient servant,

William Elliot, Senior Clerk -

For Dr. Harrison, who is still sick -

Ex^d
J. H. R.

(168-101)

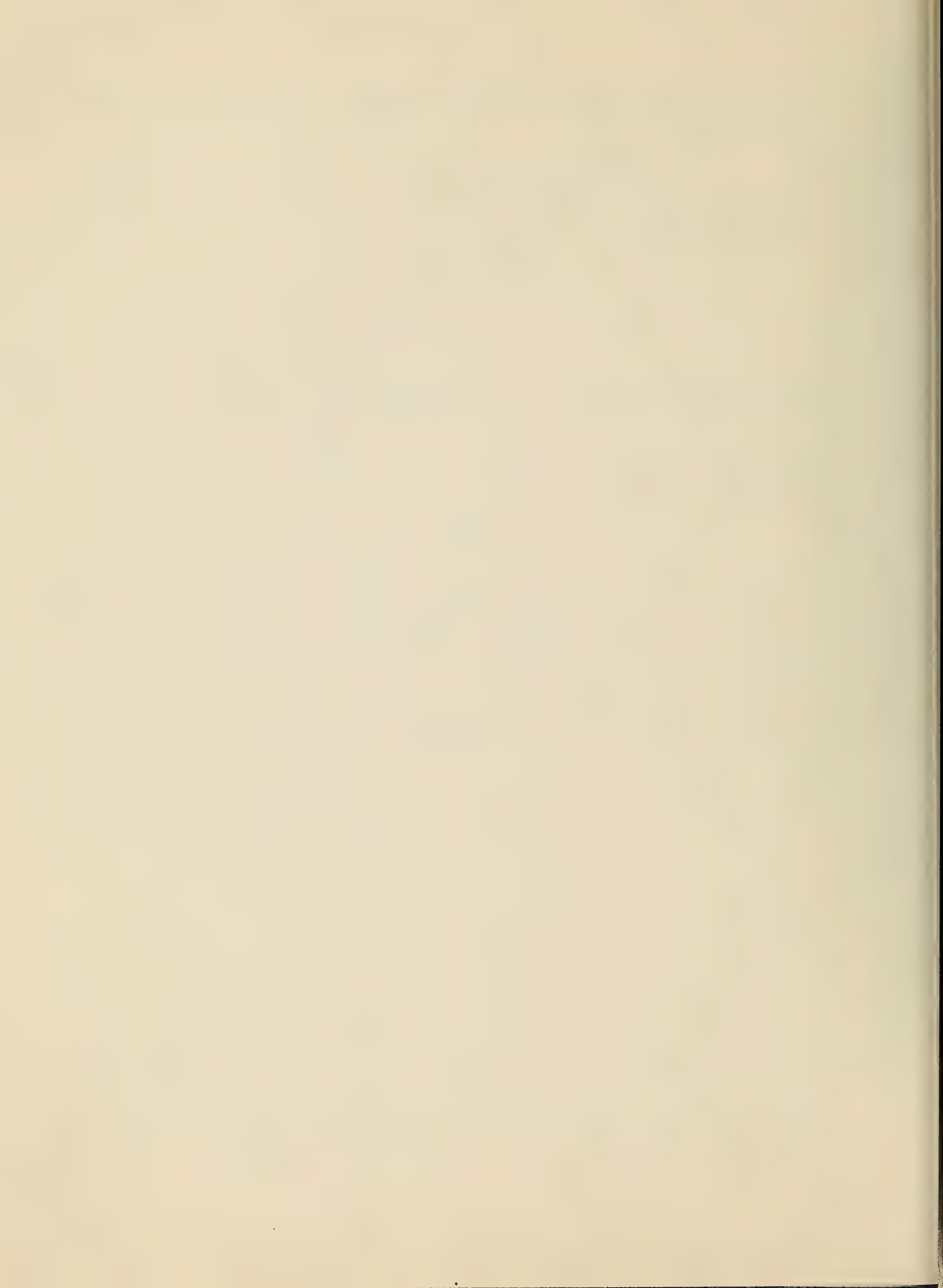
Dept of State, Patent Office.

March 31, 1828.

To the Hon. Henry Clay,
Secy of State of the U. States.

Sir,

With a view to give you such information as may be useful in deciding on the many applications that have or may be made to you for the late Dr. Harrison's office; and that your decisions may meet the public approbation, as justice, as well as promote the public interest, I will most respectfully beg leave to state, that from my long services in the patent office, my friends, as well as myself, would naturally expect to fill an office, the principal duties of which I have so long performed, and that for the small salary of 1000 dolls. per annum. But as I had not the good fortune to be born in this country, though I have lived in it nearly all my life, and reared a family nearly to manhood, still as the prejudice which exists in the minds of the vulgar, might operate with some against the present administration, I most willingly offer up my personal interests, at the shrine of public good, if thought necessary: all that I most respectfully solicit is, that where the appointment of Superintendent is deemed necessary, that the person appointed shall be of such rank and character in society, that I shall



feel a pride and honour in serving under him.

But as the law has not yet created the office of Superintendent of the Patent Office, and the title is only given through courtesy to the Chief Clerk; perhaps it would be well at present, to let the office remain vacant till by law it is put on its proper footing. Be this as it may, Sir, you would not give any just cause of complaint; and you would not only gratify my wishes but you would serve a worthy man, a firm friend of the Administration, Mr. Adams. Mr. Justice, a Clerk employed in this office at 800 dollars per ann. and who lost his situation as Clerk in the Bank of the Metropolis, because he acted as honour and principle dictated in a case wherein the character of Mr. Adams was most shamefully assailed by Mr. Kerr, the Cashier of that Bank.

To accomplish this, it is only necessary to send an additional Clerk to the Patent Office, with a salary of about 800 dollars per ann. by which means the current business will go on as usual.

I have the honour to be

Your much obliged and obedient servant,

(4314.85)

William Elliot

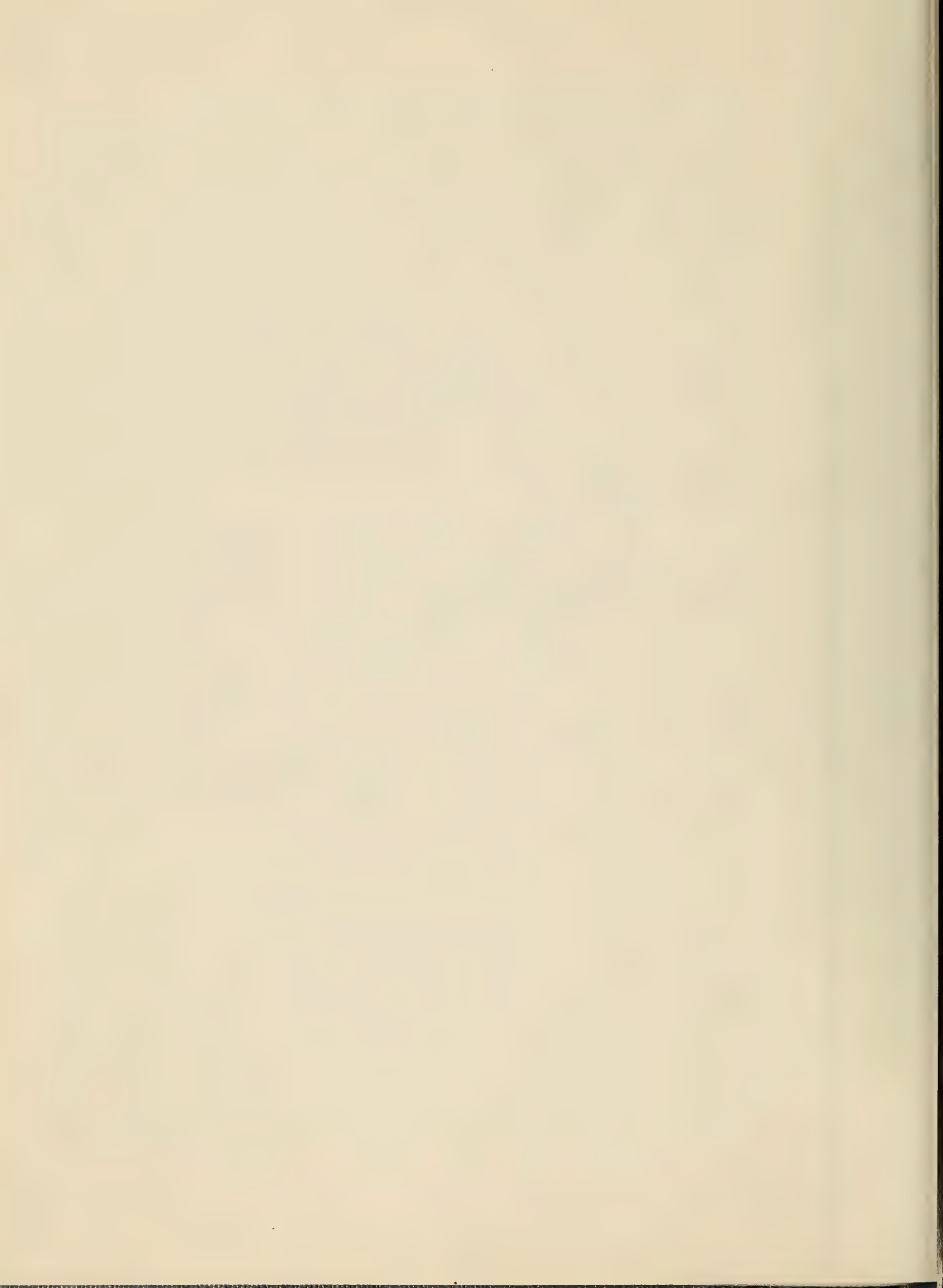
Daniel Brent Esquire,

Department of State,

Patent Office Department of State,
Washington, August 7th 1828

Sir,

I have the honour to acknowledge the receipt of your communication of the 4th instant, informing me that in the absence of the Secretary of State, the President is of opinion that I ought not to make any further use of the circular issued by me from this office. I shall, of course, govern myself by this opinion in any future course. Allow me to observe, that the objectionable passage in the letter was not intended, nor do I think upon examination, it will be found calculated



to impeach the former proceedings of this Office, as it relates exclusively to an instrument furnished by the patentee, and which is to be recorded in his own words—

The circular was placed in the hands of the Secretary of State, before a single copy of it was issued, and his approbation, in general terms, communicated to me, verbally, by Mr. J. A. Elliot, copyist. This fact is stated merely with a view of showing that I have not acted precipitately in the business, or forgotten that I was an officer under the Secretary of State—

I am, Sir, very respectfully,

Your obedient servant,

Thos^d Jones.

Ed—
J. J. K.

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Patent Office, Dep^t of State

August 11th 1828

Daniel Brent Esquire, Dep^t of State,

Sir,

I beg leave to call your attention to the situation in which the business of this Office is placed, in consequence of the Treasurer of the United States having objected to the course hitherto followed in making the payments from this Office into the Treasury; & the Cashier of the Bank of the United States having declined to give the individual certificates required by the Treasurer. The result is that patents cannot be issued, and several individuals who have deposited their money are seriously inconvenienced. To remove this difficulty I am ready to adopt any proper course which may be pointed out, and shall be obliged by your advice in the premises. Allow me to enquire, whether, in your opinion, a direct payment of the money to the Treasurer would not be proper, and undisturbed.

I have the honour to be Sir very respectfully Your obed^t serv^t Ed^d

Thos^d Jones, Surg^t J. J. K.

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Philad^a. Jan^y 24th 1828

Dear Friend Esq^r

Department of State.

Dear Sir,

I have the honour to acknowledge the receipt of your letter of the 22^d instant, written at the request of the Secretary of State. Before the arrival of your favour, Mr. Elliot was in possession of written directions to open all letters addressed to the office. He would have received a verbal request to that effect, had not his early departure on Saturday, deprived me of the opportunity of making it; not that I deemed this necessary, as it has been heretofore the practice, both for my predecessor and myself.

My absence was not intended to exceed half the time now so to Mr. Elliot. You will please to communicate the contents of this letter to Mr. Clay; and believe me to be with the greatest respect,

Yours obedient servant,

Thos^d Jones

Patent Office March 3^d 1829.

The Hon^{le} Henry Clay
Secretary of State

Sir,

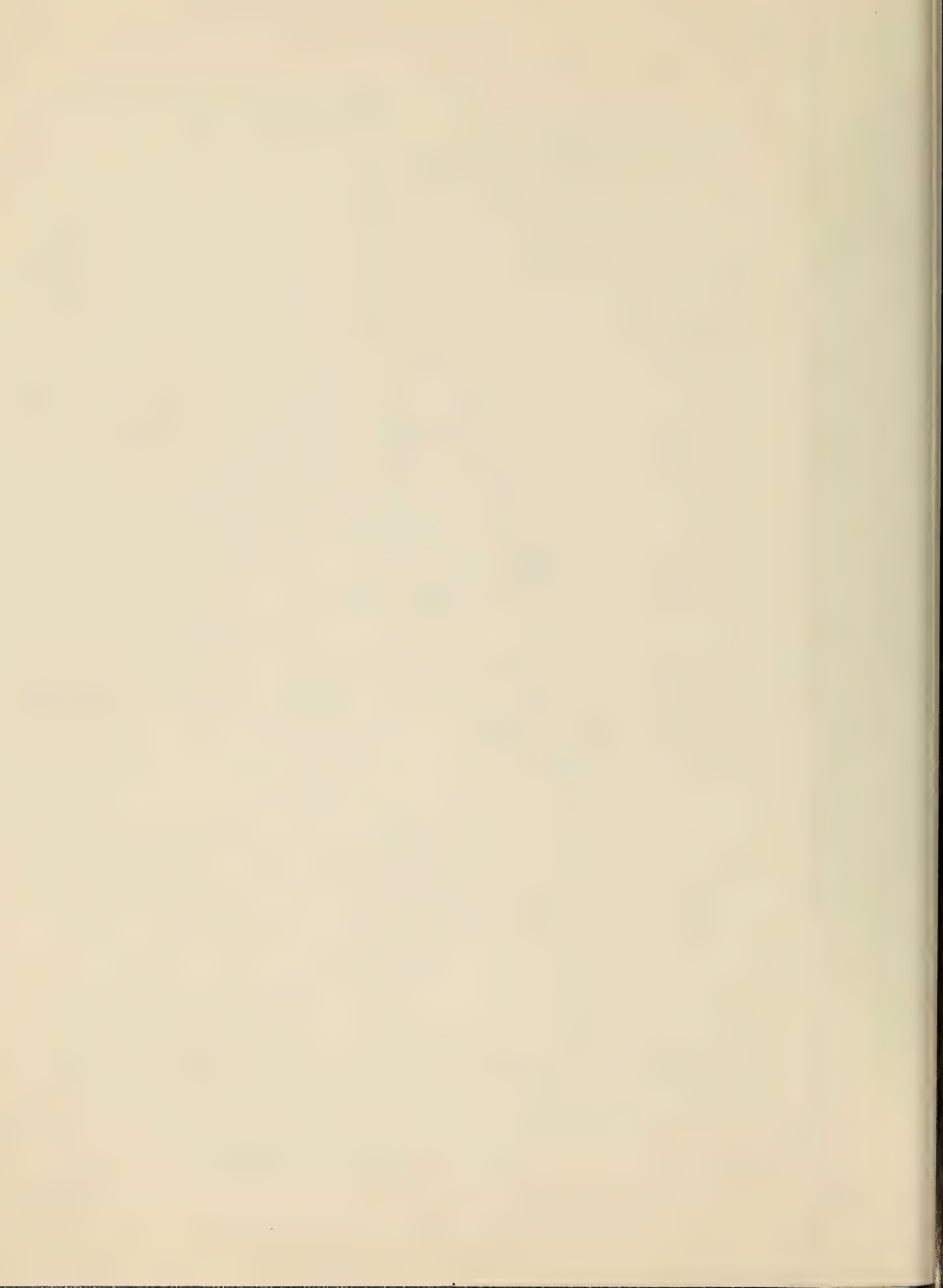
Should you think proper to appoint Mr. Charles Bullfinch joint to the situation of Clerk in the Patent Office, I am of opinion that he will fulfil the duties faithfully, and he will be perfectly acceptable to

Yours obed^t and obliged serv^t

Thos^d Jones Super^r

Dr. Jones has my entire concurrence in the appointment of Mr. Bullfinch, if there be an authority of law for it. I have not yet seen the law. 3 Mar. 1829.

H. Clay Secy of State



Dept of State Patent Office,
March 10th, 1829

To the Hon. James A. Cass, Secy.

Acting Secretary of State of the United States.

Sir,

I enclose with either not upon the information contained in the enclosed letter or transmit to the Secretary of State as you shall think proper.

I am, with the highest respect,

Your obedient servant,

William E. White

Exd

Clerk in the Patent Office. *W.E.*

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Dept of State Patent Office
March 10th, 1829

To the Hon. Martin Van Buren,

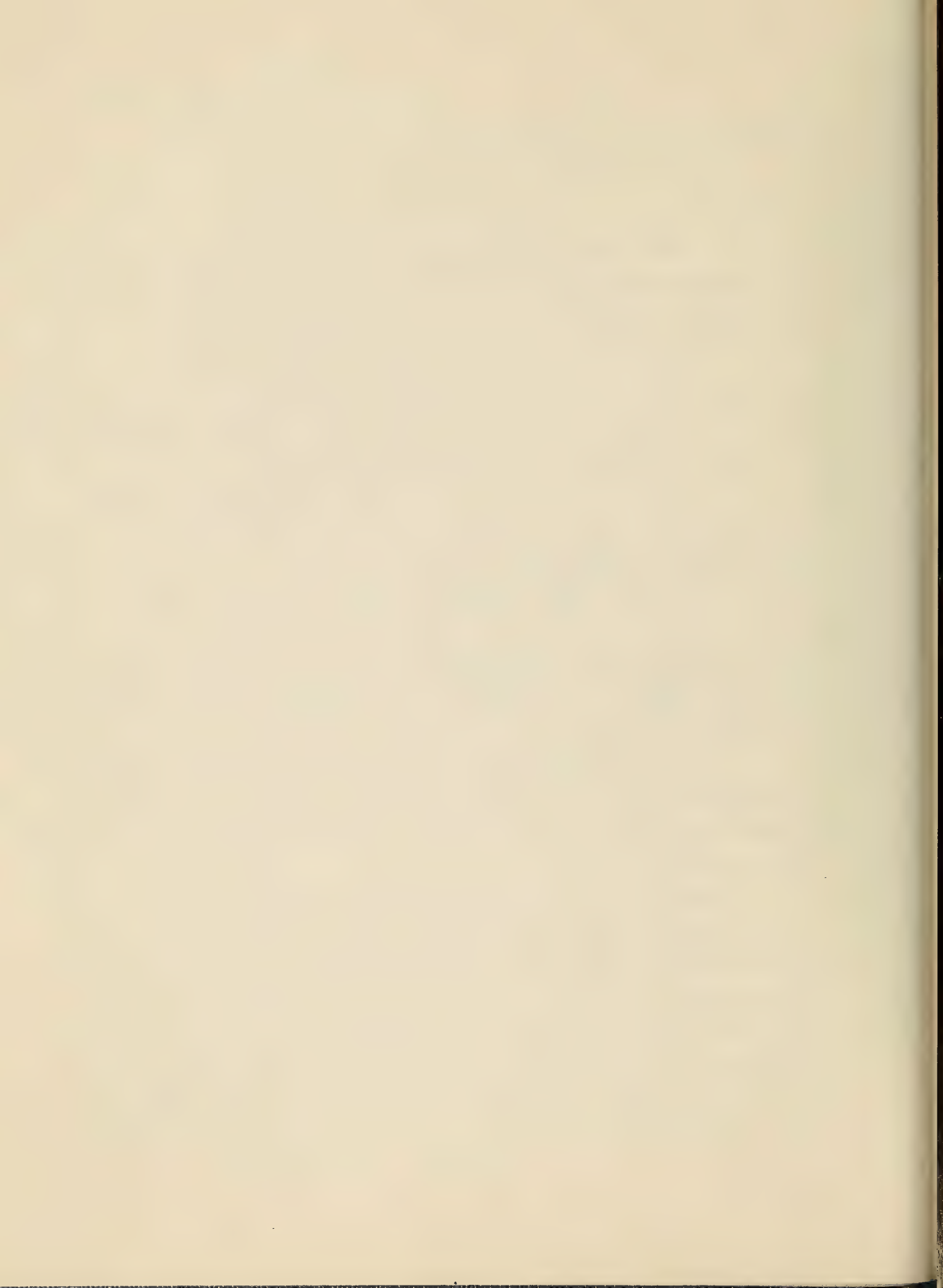
Secretary of State of the United States,

Sir,

I have for many years been employed as a Clerk in the Patent Office, and I trust, have always conducted myself as became my situation.

On the death of the late Doctor Thompson, I naturally looked forward to be his Successor; and I was supported in that expectation by the Doctor and most of the officers of the General Government.

But as I was poor and not willing
... to expose my family to want, I thought it best to put up with this evil, rather than continue on those that were well known, and therefore concluded to serve his Successor, with all the ability I possessed. However I cannot silently see many abuses in office without entering my protest. And I therefore solemnly declare, and stand ready to prove, that the duties of the Patent Office have not been fulfilled by the present Superintendent, neither equalled



to law, nor the usage of office.

I have the honor to be most respectfully,

Your obedient servant.

William Elliot

Dept of State, Patent Office,

April 28th. 1827.

To the Honorable Mr. Van Buren,

Secy of State, of the U. States.

Sir,

When the case of Doctor Jones Superintendent of the Patent Office shall be examined, I respectfully suggest, that the following persons be summoned; and the subjunct questions put to them.

Questions to be put to Mr. Alexander M. Intire, Clerk in the Patent Office. — Do you know that Dr Jones ever made out Specifications of Patents for patents, in office hours, and charged for the same?

Did you ever know him to issue patents out of their regular chronological order; and contrary to the rules of the office?

Has he ever issued any patents without first submitting them (necessarily to orders) to the President M^y Gen^l of the U. States. —

Do you know any thing of his taking papers from the files of the office, and not returning them immediately; creating much difficulty in the necessary searches?

Do you remember that Mr. Elliot informed him, (soon after he came into office) that there were no perquisites in the office?

Do you remember any thing respecting two dollars received from Mrs. Thronton for the extra compensations to the late Dr Thronton; and whether this money was ever returned to the person sending it?

Are the drawings which are now made for the office as good as formerly; and who is it that makes them, and receives the pay for them?

Are you aware that Dr Jones has a considerable sum of money now in his desk, which ought to have been deposited in bank to the credit of the persons lending it?

In what manner does Doctor Jones conduct the business of the office? and what duties does he himself perform?

Do you know any thing of a work called the Franklin Journal, of which the Doctor is the Editor, and have you observed any specifications of patents published in it, complete or in substance?

Questions to Mr. James Heller, Mechanist of the Patent Office.

Since Dr Jones came into office, have the models been regularly labelled, and deposited in the model room, as formerly?

Has the Doctor ever taken any models out of the room, which he has not returned?

Have you ever known him interfere with patentees respecting making drawings, &c.

Questions to be put to Mr Robert Fenwick, Messenger of the Patent Office. —

Do you know any thing respecting Dr Jones's taking the papers from the files of the office, for his own private use? and how many has he taken at once?

Do you know any thing of his having received money from patentees for making out Specifications?

Do you know any thing of his contracting for making drawings for the office? and by whom are these drawings made? and to whom is the money paid?

Do you know any thing of his franking packages to Philadelphia, not relating to the business of the office; and of his receiving packages from the same place, under the same circumstances?

As you copied the letters formerly, and do so still, have you not remarked, that little or no money, (all within a month), received for extra compensations, has been returned; though in

the time of Dr. Greenough's continuance was returned?

Did you know any thing of Dr. J's taking the keys of the office, and coming in the morning the absent most of the day? and do you suppose he was any thing but his own private business in these evening visits, and is not this contrary to the former business of the office?

I have the honour to be

Your obedient and humble servant

John Elliot -

Charges preferred against Dr. J. J. Jones, Superintendent
of the Patent Office, by John Elliot -

Charge 1st. not conducting the business of the office according to law.

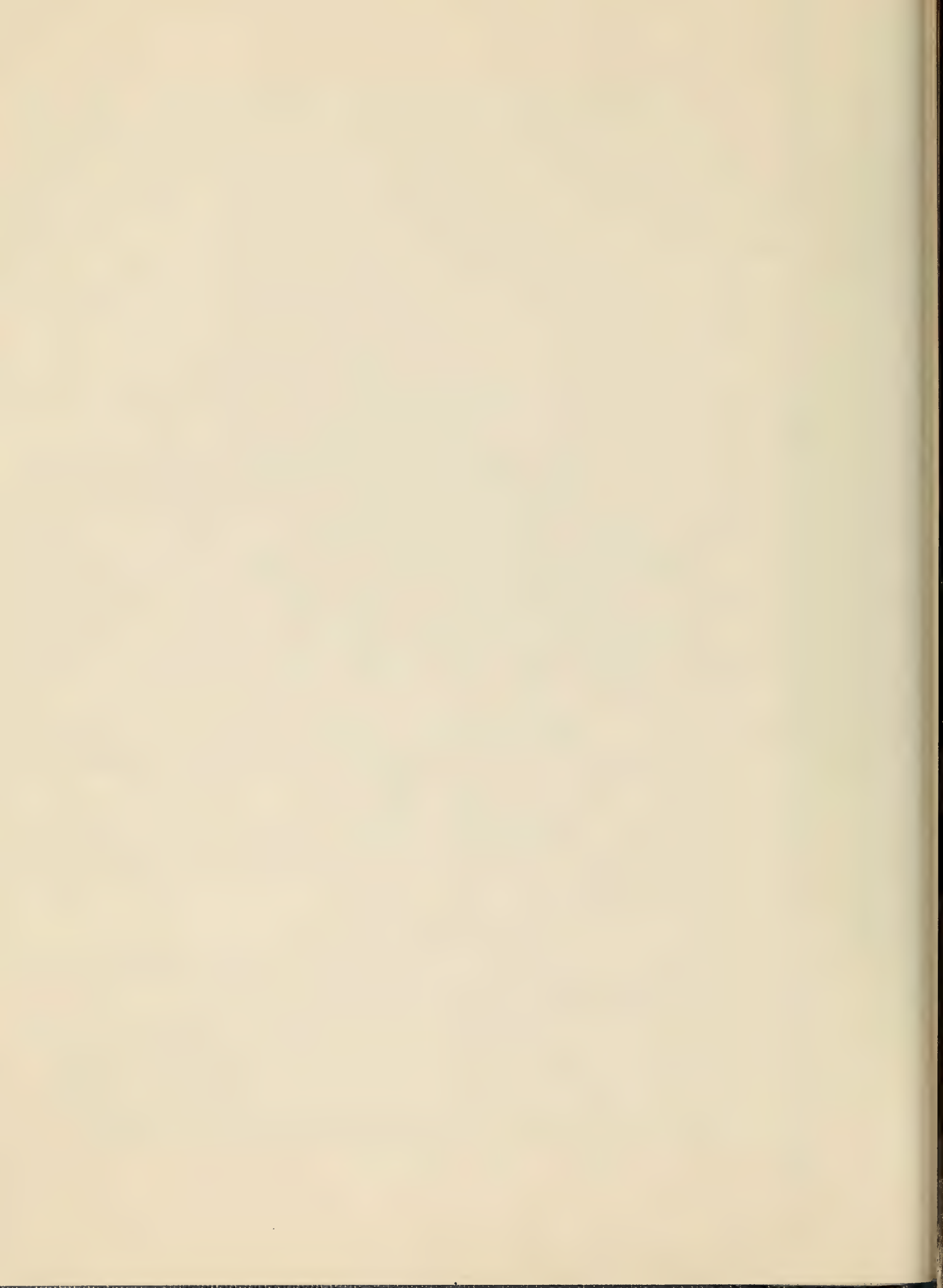
Specification 1. Ever since he came into office, he has taken from the files most of the new Specifications, copied them or made extracts, and published them in a work called the Franklin Journal (of which he is Editor) without making any account to the Treasury for the copying fees. Also has franked all the packages for that work, from this place to Philadelphia: thus abusing the franking privilege of the Patent Office.

Specification 2^d. He has issued patents without proper drawings; and in some instances without drawings; which may be seen by consulting the files of the office.

Specification 3^d. He has received money from patentees for making out their papers and drawing. This can be proved by Mr. A. B. Squire, Robt. Fenwick & Chas. Keller.

Charge 2^d. He has not conducted the business of the office for the public benefit, nor agreeable to the former business.

Specification 1st. Instead of opening the packages, as formerly in the clerk's room, and having the papers properly endorsed, placed on file, and returning any money that might have been enclosed, as presents, they are now opened in his own room, without witness; the papers are filed



where the Clocks have no receipts, and little or no money has been returned, which was sent as presents; as will appear by the letter book. The models do so have not been labelled and put in the model room; but retained in business thus the public have no benefit from viewing the new inventions.

Specification 2^d He has suffered the correspondence of the office to fall behind, and has required the aid of a clerk to bring it up: though formerly it was all executed by Dr Thornton; as well as writing the heads of the patents: which the present Superintendent leaves to a clerk.

Specⁿ 3^d He has delayed the issuing of patents unnecessarily by keeping the papers in his room till they amounted to 15 or 20 patents; though at the same time had nothing to do for three or four days.

Specification 4th Though there has been little or no more business in the office during the present than in the last year, at this season (when Dr Thornton was sick) yet the business is much more behind, on account of its not being properly conducted.

Ed-
JTB

Patent Office, April 7th 1829.

The Honorable Martin Van Buren

Secretary of State of the United States.

Sir,

As an officer in your Department, both duty and inclination impel me to lay before you all the information respecting my proceedings in the public service.

Having received an intimation that such a course would be acceptable I yesterday addressed a letter to the President, accompanied by some documents relating to the course of Mr. W^m. Elliot, a Clerk in this office, to which papers I respectfully beg leave to refer you.

I take the liberty to enclose a correspondence with Lord Brougham respecting which I need not detain you by any comments of mine, as the last note will show the ground which I have taken, and which I shall most perseveringly maintain.

I have the honour to be very respectfully Your Obedt Servt

Thos St. James

Ed-
JTB



Copy of letter to
Samuel Brent Esq.

Washington April 6th 1829

Department of State

Sir,

I am informed, from a source entitled to credit, that you, some time since, when at the house of Mr. Wm Elliot, remarked to him that you understood there was a money changer in the Patent Office, and that it was his duty if there were any real practices in the office, to make them known to the government; he being the oldest Clerk there.

You will perceive, Sir, the propriety of my asking you whether the information given to me be correct; if it is, whether you had any allusion to me, and upon what circumstance such an allusion was founded. I need not Sir, urge upon you, as a gentleman, the necessity of a prompt and distinct answer to these inquiries.

I am very respectfully yours &c &c
(signed) Thos P. Jones.

Copy of Mr. Brent's reply to the above.

Washington 6 April 1829

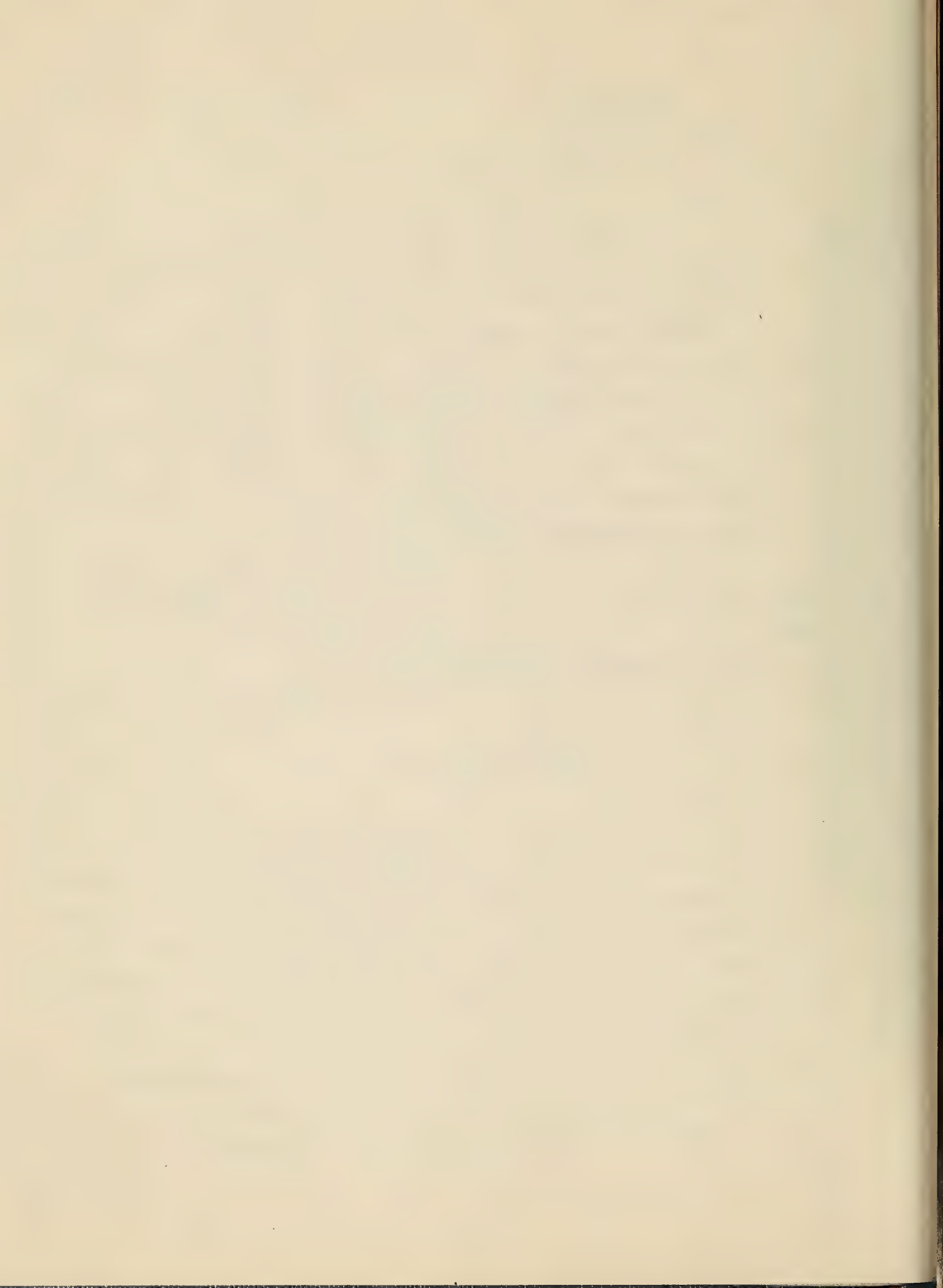
Thomas P. Jones Esq.

Patent Office.

Sir,

In answer to the inquiries which you have made of me, in your letter of this date, I have no time in stating, that I have no recollection whatever of the conversation to which you refer, at Mr. Elliot's, or elsewhere, in which you have been informed. I remarked to Mr. Elliot that I had understood there was a money changer in the Patent Office, and that it was his duty, "if there were any real practices in the office, to make them known to the Government; he being the oldest Clerk there."

Having understood, however, upon authority highly respectable, that upon one occasion you had given money to a petitioner for a Patent, receivable at the Treasury, for money not so receivable, at a premium for yourself, to me



able him to pay for his patent, it is possible I may have mentioned the same
 name to Mr. Elliot, as an improper innovation, in my judgment, upon
 the practice of the Office, which requires to be made known to the Head of the de-
 partment.

I am Sir, respectfully

Yours obed^t Serv^t

(Signed) Daniel Brent

Ed

JSB

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Copy of a second letter to Mr. Brent

Danl Brent Esq.

Patent Office April 7th 1829

Department of State.

Sir,

I have this moment received your note of yesterday, in reply
 to mine of the same date, and regret that I am compelled again to trou-
 ble you upon the same subject.

It will be necessary Sir, in your own justification, to furnish
 the "authority highly respectable", which warranted you in propagating a re-
 port to my disadvantage; as I do, hereby, declare, that the allegation was altogether
 unfounded and false.

I am very respectfully Yours obed^t serv^t.

(Signed) Tho^s P. Jones.

Ed

JSB

Dep't of State, Patent Office.

April 10th 1829—

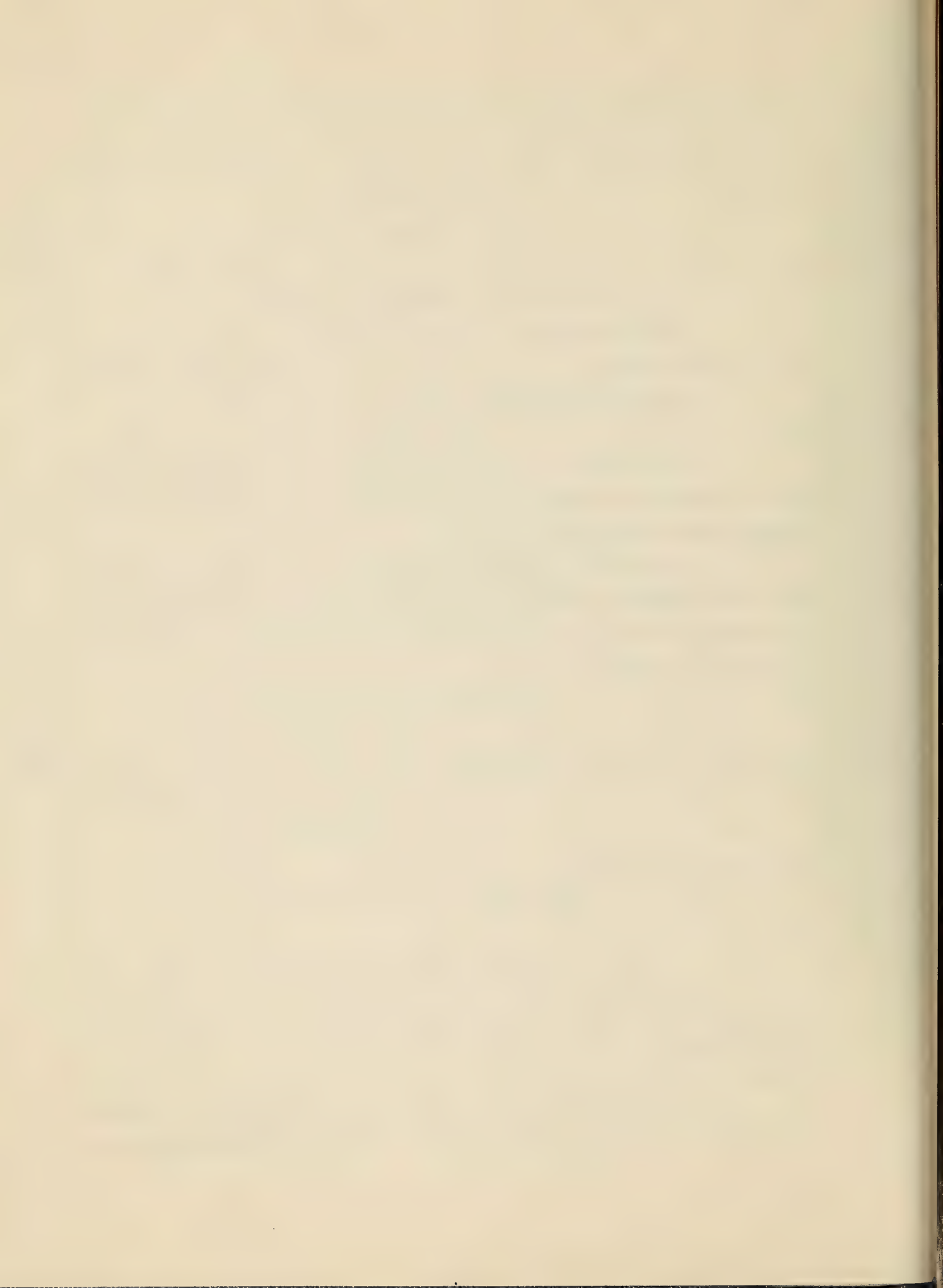
To the Hon. Van Buren,

Secy of State of the United States.

Sir,

At the time when I have charged a public officer, with
 such practices in office, I find myself most falsely and shamefully abused
 in N. A. Telegraph of last evening; but this is a stale trick to accuse the accuser,
 to start new objects to draw off the attention.

As the President and yourself may probably read this attack
 on my character, I deem it proper to state the whole truth of the allegations.



that you may form a correct opinion of my character.

It is stated in the paper above referred to, that I am "one of the most clamorous office seekers": that I was connected with the late newspaper entitled "The People's Friend": that I said that General Jackson ^{ought} to have been hanged for the murder of the six militiamen. The whole is without the least foundation in truth.

You know I have solicited no new office under you: I am desirous to see the Patent Office, in which I have spent so many of my best days, prosper, and become an honour to the nation, and a lasting benefit to the public: and on this account I have preferred certain charges, of abuse in office, which I hope will be properly investigated. I cannot but feel an interest in an office, of which I have been one of the chief means of raising: for out of the 75 or 76,000 dolls. now in the public Treasury to the credit of the Patent Office, over and above all expenses, at least 50,000 dolls. were earned by my unaided hand. And I do not think it would have been very unreasonable to have received some preferment in an office the chief duties of which I had performed for so many years. But I have received no advancement, ^{whatsoever} neither in rank, nor pay: and remain at this day with the same salary as fixed by Congress in 1815.

With regard to having said that General Jackson ought to have been hanged for the murder of the six militiamen, it is a falsehood too glaring to need refutation. For I, as well as all the nation know, that the militiamen were ordered into service for six months by Governor Blount (whether legally or illegally I shall not say); that they left their service before the expiration of that term; were tried by a Court martial for desertion; were condemned to be shot; and that General Jackson merely confirmed the sentence of the Court: therefore such an approach as that attributed to me was irrational, and void of common sense: this information is utterly false.

With regard to the numerous stories & misrepresentations of Mr. Fane, the English Traveller, I have nothing to do: he wrote his book no doubt to sell, and adapted to please the palate of his country men; I am no more answerable for what he has said, than Mrs. Royal in her Black Book lately



published. I wrote a refutation of all the charges made against me in the article referred to, and sent them (this day) to the U. S. Telegraph, for publication, but it was refused, without any explanation.

I have to beg the favour of you, Sir, that in case the President should ever refer to this subject, in your presence, you will show him this letter, or represent what I have written.

I have the honour to be Your obedient servant

William Elliot -

Ed
JRE

(700 wds)

Sir,

Having been disappointed in not seeing you this morning, to pay my personal respects, I must defer the pleasure to some other opportunity. But for fear my relative, Mr. Lewis, should have neglected to deliver a copy of the charges preferred against Dr. Jones of the Patent Office, I inclose another copy, with one additional charge & which has taken place since you came into office.

I have the honour to be, Your obedient servant

William Elliot.

Dep't of State, Audience Chamber, Apr. 6th 1829.

Secy of State of the United States -

P.S. Should you wish any further information on the above subject, I shall be happy to wait on you whenever you may appoint.

W. E.

Ed
JRE

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(Copy)

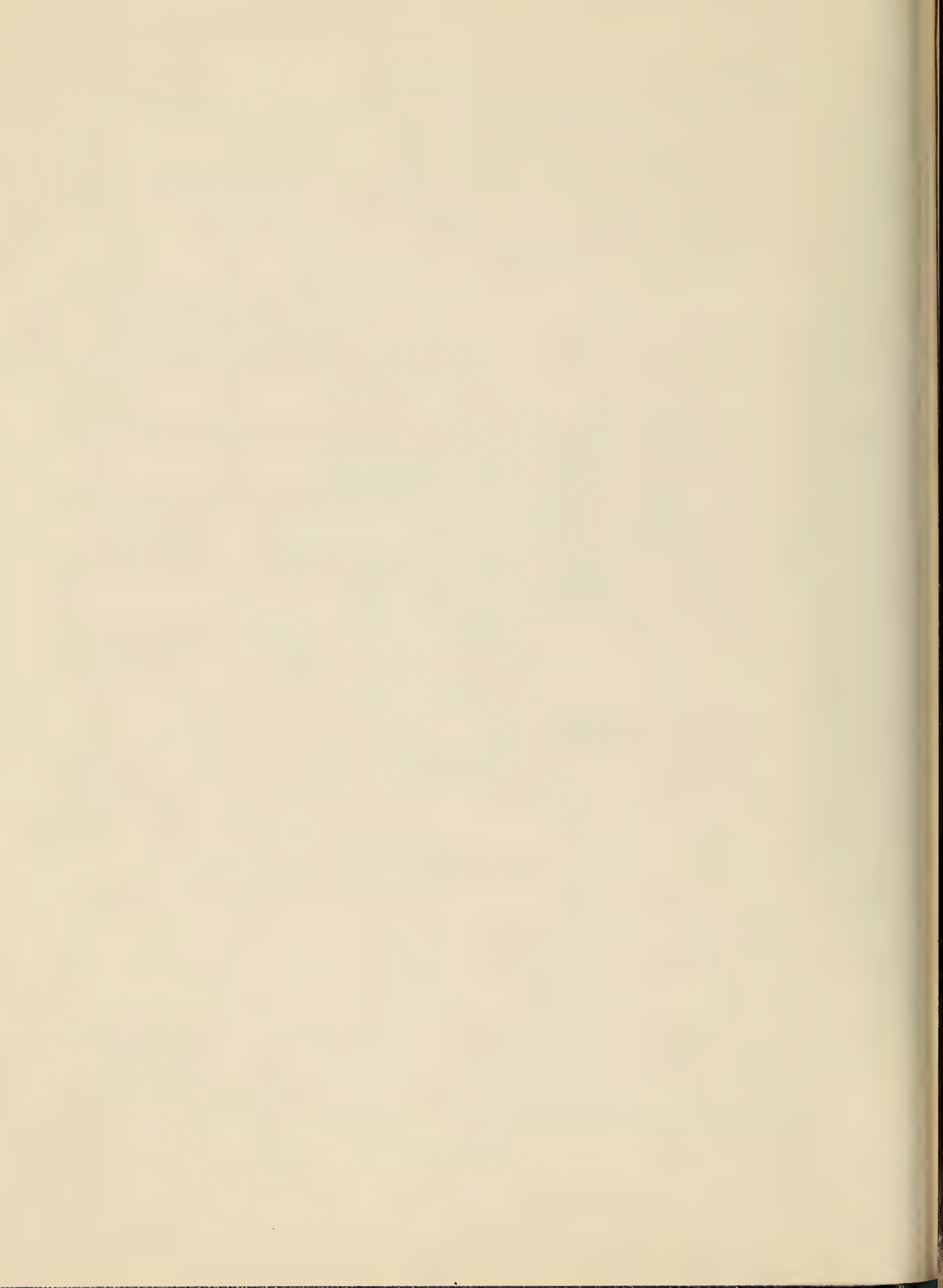
Washington, April 6th. 1829.

To the Hon. Mr. Van Buren,

Secy of State of the U. States,

Sir,

The following charges and Specifications were preferred by William Elliot against Dr. Jones Superintendent, of the Patent office; and were sent to the Department of State on the 21st ult. - by the hand of Mr Geo. Lewis.



Charge 1st The said Dr. Jones does not conduct the business of the office according to law.

Specification 1st He has constantly, ever since he came into office, taken from the files most of the new Specifications: - made extracts from them, or published them entire, in a work published by himself in Philadelphia, called the Transcript Journal, without making any account to the Treasury for the copying fees. He also franked all letters and packages to and from Philadelphia, on account of the same work, thus abusing the privilege of franking.

Spec'n 2^d He has issued many patents without proper drawings: or had them imperfectly executed by some one in his own family.

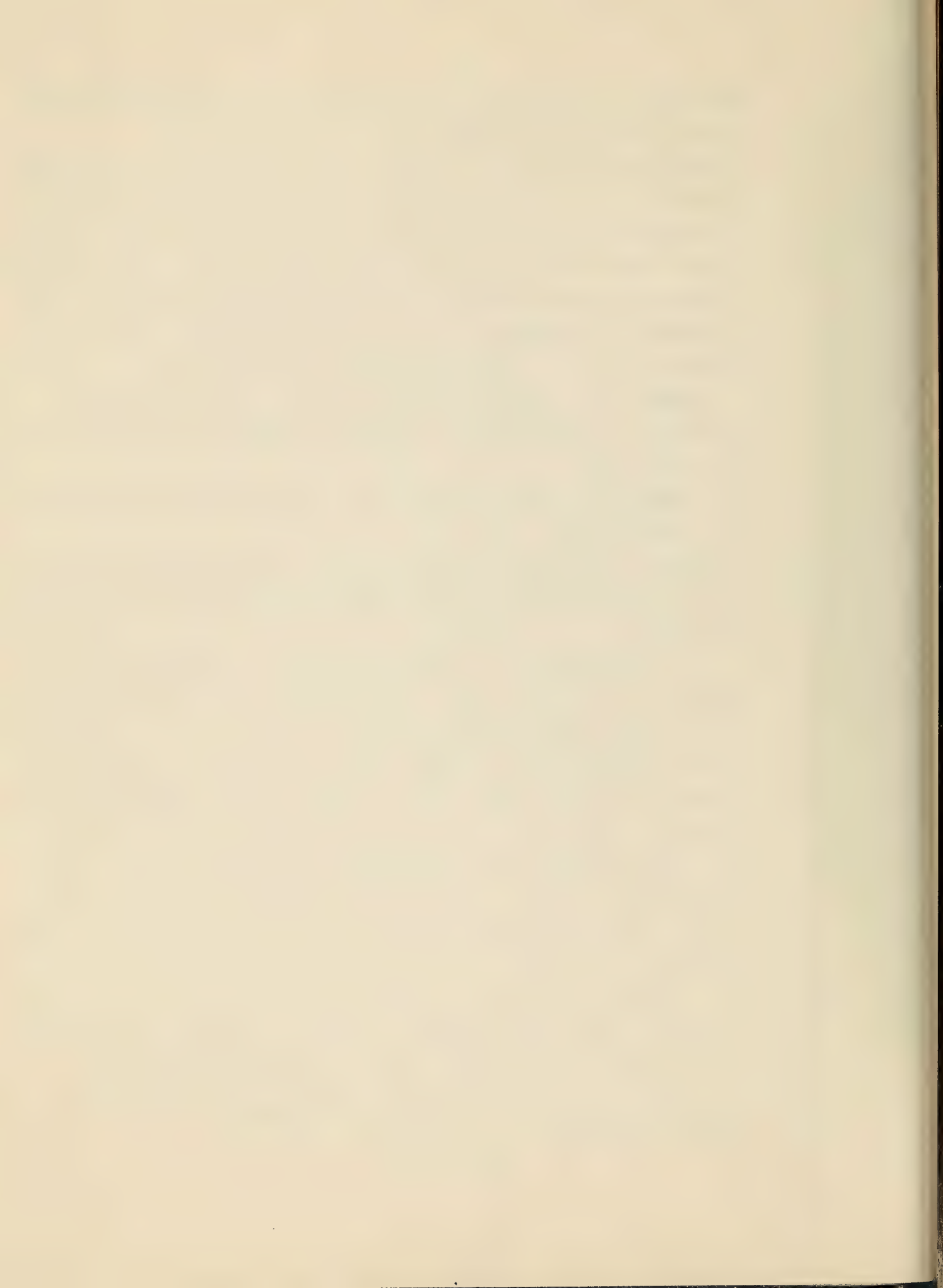
Spec'n 3^d He has received money from patentees for preparing their papers.

Charge 2^d He has not conducted the business of the office according to former usage, nor to the benefit of the public and Government.

Specification 1st Instead of opening the packages in the clerk's room, as formerly: - endorsing the papers, and putting them on file, they are opened privately in his own room, and filed where the Clerks have no access: nor has he returned any money, (till within a few weeks) received as presents; though formerly considerable sums were returned by Dr. Thompson, on that account.

Spec'n 2^d Instead of labelling and placing the new models in the model room, they have been kept, till within a few days, in his own room: thus depriving the public of the sight of them.

Spec'n 3^d He has suffered the correspondences to fall greatly behind: though last year there were as many or more patents issued between the 1st of Jan'y & 21st of March than this year: and the Superintendent was absent from sickness; yet the correspondence was kept up.



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Specⁿ 4th. He has delayed the issuing of patents by withholding them in his own charge till they accumulated to a considerable number; whilst Mr. McIntire and myself were idle for two days at a time.

Specⁿ 5th. At the last session of Congress, a clause was inserted into the General Appropriations Bill, for the last three quarters of the present year, (commencing on the first inst.) 10000 dollars for an additional clerk for the patent office: but without producing a letter of appointment, sanctioned by the present Secretary, he has introduced Mr. Elliot into the office;—has given him at the rate of 500 dollars, and added 200 dollars per annum to the salary of Mr. McIntire, without any authority; who authorized the payment of the salaries for last month I cannot say.

To prove the truth of these charges I refer to the testimony of Mr. Alex^r McIntire, Mr. Robert Tompkins, and Mr. Jonas Heller:—to the files of the office; and to the letter book &c.

P. S. Not having an exact copy of the charges as formerly made, they are written chiefly from recollection; with an additional ones.

Ed^d
J. H. R.

(627)

Department of State

The Hon. Martin Van Buren

Patent Office May 14th 1829.

Secretary of State of the United States.

Sir,

A copy of the charges and specifications preferred against me by Mr. Elliot, has, agreeably to your order, been furnished to me by Mr. Brent, and I have now the honour to present to you such remarks upon them, as their nature appears to me to demand.

Charge 1st. Not conducting the business of the office according to law.

Specification 1st.—Ever since he has been in the office, he has taken from the files most of the new specifications, copied them, or made extracts and published them in a work called the Franklin Journal (of which he is editor) without making any account to the Treasury for copying fees. Also has franked all the packages for the work, from this place to Philadelphia, thus abusing the franking privilege of the Patent Office.

Answer. I have rendered unsatisfactory service to the Patentees, and to the public, by making known, more fully than had heretofore been done, the nature of the things patented, and the claims of the patentees. To show, in fact, what has been done by me in this particular, I enclose the last number of the Journal, in question. The monthly list of patents for January last, will be found between the pages 254, and 268.

Persons applying to this office for official copies of Specifications, or other papers, are subjected to a charge of 20 Cents for every hundred words; such papers are written by Mr. Seth H. Elliot, who receives the fees for his labour. I have never employed any Clerk in the office to write a line for me, although Mr. Seth Elliot has frequently offered to do so, nor have I ever myself written a line of any description for my Journal, during the hours of business in the office.

I am not aware that, by sending copy to my printer, I have abused my printing privilege; but I know that had Mr. Elliot been the keeper of my conscience, as regards this privilege, I should have covered his private correspondence, and thus escaped being repeatedly treated with rudeness by him, for refusing to do so. My compliance with his wishes in this respect, would have served to give some point to this specification.

"Specification 2^d He has issued patents without proper drawings; and in some instances without drawings, which may be seen by consulting the files of the Office."

Answer. Respecting what are proper drawings, I must, necessarily be the judge. The worst which I have passed, have been accepted under the advice of Mr. Elliot, who has observed that in some sections of the country, good drawings could not be obtained. I have no interest in passing such as are insufficient, and, certainly, those which have been deposited during my incumbency, will not suffer in a comparison with the drawings received in any period during the existence of the office.



Many patents do not require drawings, and such have, of course, been issued without them. Upon this point I have been especially careful; but if, by any inadvertency, I have ever passed without drawings, papers which have required them, Mr. Elliot, who has been so far in superintending my whole course, has violated his duty to the public, and to me, by not having called my attention to the fact.

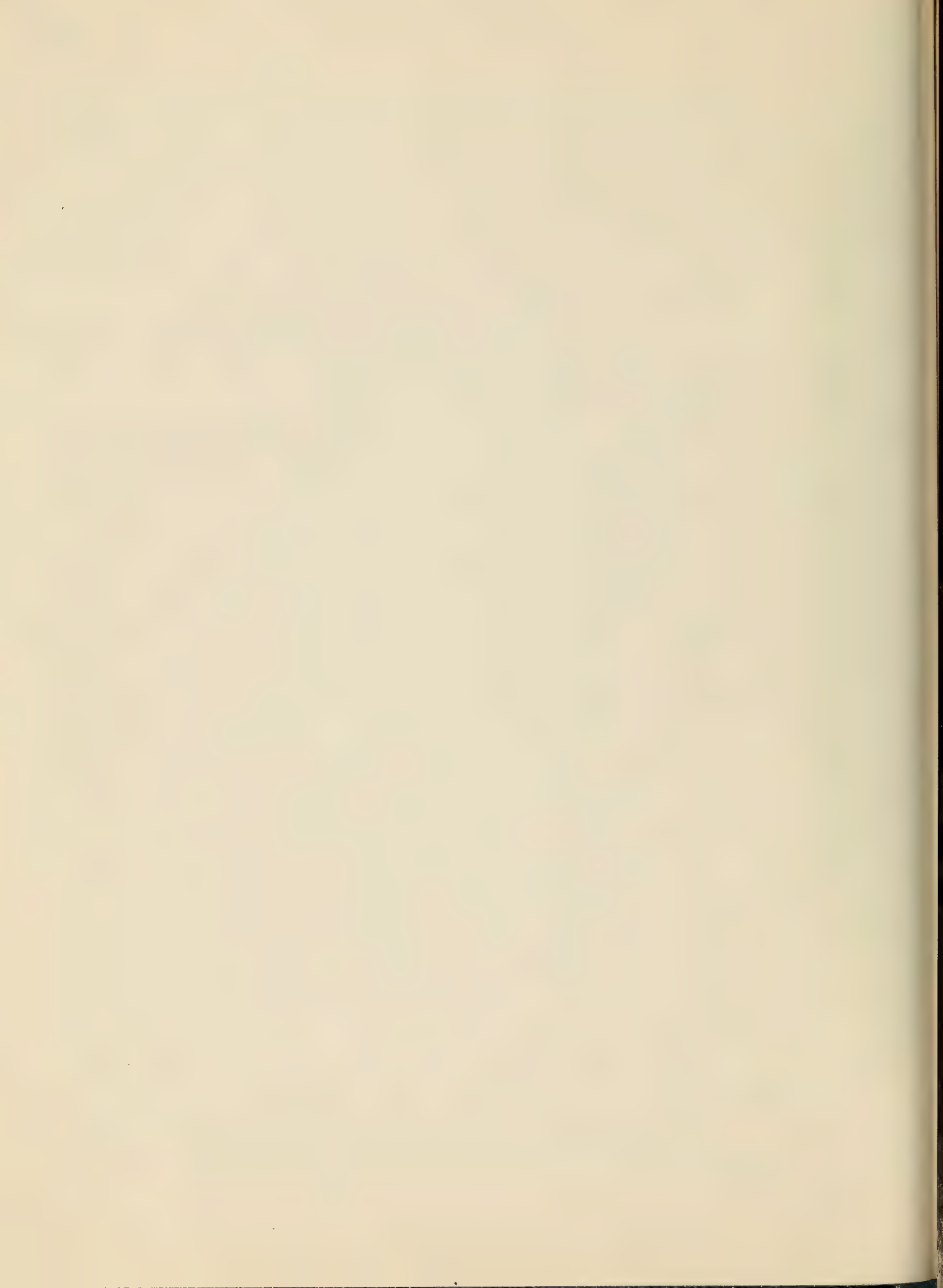
"Specification 3^d He has received money from Patented for making out their papers and drawings. This can be proved by Mr. McIntire, Robert Fenwick and Chas. Keller."

Answer. Whatever I have done needs no other witness than myself. I may have written half a dozen specifications for persons who, because they had special confidence in my ability for the task, have urged me to do so; but whenever I have done it, it has been in my own house, and at night. I have uniformly wished to avoid it; not because I thought it was, in the slightest degree, improper, but merely because I have not had time to devote to business of this kind. I have written in my office some specifications for unlettered and indigent persons, but for these have never received a cent. Mr. Elliot, when I came into office, was in the habit of referring applicants to his son, John, then a minor and unacquainted with the principles of Mechanics, who made out their specifications and other papers. With this practice I have interfered, but not to my own profit.

Drawings furnished at the request of patentees, are made by persons unconnected with the office. In obtaining these I have consulted the interest of the applicant only, and have procured them wherever I could get them best done at the lowest price. This is a necessary part of my duty, but it is an unpleasant part, and one from which I should very gladly be released.

"Charge 2^d He has not conducted the business of the office, for the public benefit, nor agreeably to former custom."

"Specification 1st. Instead of opening the packages as formerly in the Clerk's room, and having the papers properly endorsed,



* placed on file, and returning any money that might have been enclosed as presents they are now stored in his own room without witness. The papers are filed where the clerk has no access, and little or no money has been returned which was sent as presents, as will appear by the letter book. The models also have not been labelled and put in the model room, but retained in his own. Thus the public have no benefit from viewing the new inventions.

Answer. Mr Elliot has repeatedly observed that the money transactions of this office have been managed by me with more system and correctness than had been previously known in it. No dispute, or misarrange, or difficulty of any kind, has occurred in this part of the business of the office. I have yet to learn that it is my duty to open letters in the presence of my clerks, in order to keep me honest, or to preserve my character from suspicion. All letters received since I have been in office, are placed on file, which was not the practice previously. The replies to them also, are, of course upon record. I have no answer to make to the despicable insinuations contained in the foregoing specification. Let the man appear who will attempt to bring a charge of corruption ^{upon} to me, and I am ready to meet him. That less money than formerly is now sent as presents, is highly probable. — this, however, is a question which I am not desirous to agitate.

Mr. Elliot complained that Mr. Heller had neglected to keep a list of the models deposited in the model room. To correct this I have detained a number of them in my own room until they could be properly labelled and ordered, which has been done as soon as more important business admitted. Had space in my room, I should still keep many more until they could be placed in a secure and suitable situation; as they are now exposed to injury, but not displayed, when taken to the model room.

Specification 2. He has suffered the correspondence of the office to fall behind, and has required the aid of a clerk to bring it up, though it was formerly all done by S. Thornton, as well as the writing



"the heads of the patents, which the Superintendent leaves to a Clerk."

Answer. I am sure of the great and extended issue of misrepresentation there is contained in this Specification, could not be woven into a paragraph of the same length. I will not invade the sanctuary of the dead to enquire what my predecessor did, or neglected to do. Mr. Elliot, however, has repeatedly informed me that he always examined the papers for Dr. Thorntons, and indicated to him, the points to be embraced in the replies to them. During more than a year I have not had three days aid from a Clerk, in conducting the correspondence of the office. The books will tell what that correspondence was formerly; and a comparison of that, with what it now is, both in amount and in time, would be most welcome to me. There never has been an accumulation of the correspondence, for a period of three days, excepting during the most busy part of the session; and then nothing of importance was neglected.

I never knew, until now, that the heads of patents were formally written by the Superintendent, and why they should have been, I have yet to learn. This writing, however, has not amounted to six lines a day.

"Specification 3^d. He has delayed issuing of patents unnecessarily by keeping the papers in his room, till they amounted to 15 or 20 patents, though at the same time [I had nothing to do for three or four days."

Answer. If Mr. Elliot has been idle for a moment while at the office, he has been so through his own perverseness, and with a view to reflect discredit upon me. I have not been absent from my office two days in six months; have been several times every day into the Clerk's room; have sent in Specifications by the messenger whenever they were wanted, and never suspected until now, the fault set forth by Mr. Elliot in his Specifications.

"Specification 4th. Though there has been little or no new business in the Office during the present, than in the last year at this season, (when Dr. Thornton was sick) yet the business is much



more behind, in account of its not being properly conducted.

Sir, The foregoing specification is altogether false. The books have been constantly supplied with specifications to copy, and the business of the office has been promptly attended to, as the officers during the whole period, will testify. There are not, at the present, three patents in waiting, excepting from defective applications, or for want of the signature of the Attorney General.

For the correctness of the foregoing statements made by me, I refer you Sir, to every person now employed in my office, including the son of the complainant. I will not detain you with any further assurances; but I most earnestly through every respectfully, request a speedy termination of this unpleasant business.

All the value both of the emoluments, and the honour of office will have passed away, in my estimation, if my character form no defence against intrigue and slander.

The correspondence of this office will supply ample testimonials of the entire satisfaction of those who have done business with me in it; and were I to retire tomorrow, I should do so, ^{with the} credit, as well as the consciousness, of having performed my official duties with zeal and with fidelity.

I am Sir, with the greatest respect & consideration

Your obedient servant,

Thos. P. Jones Secy.

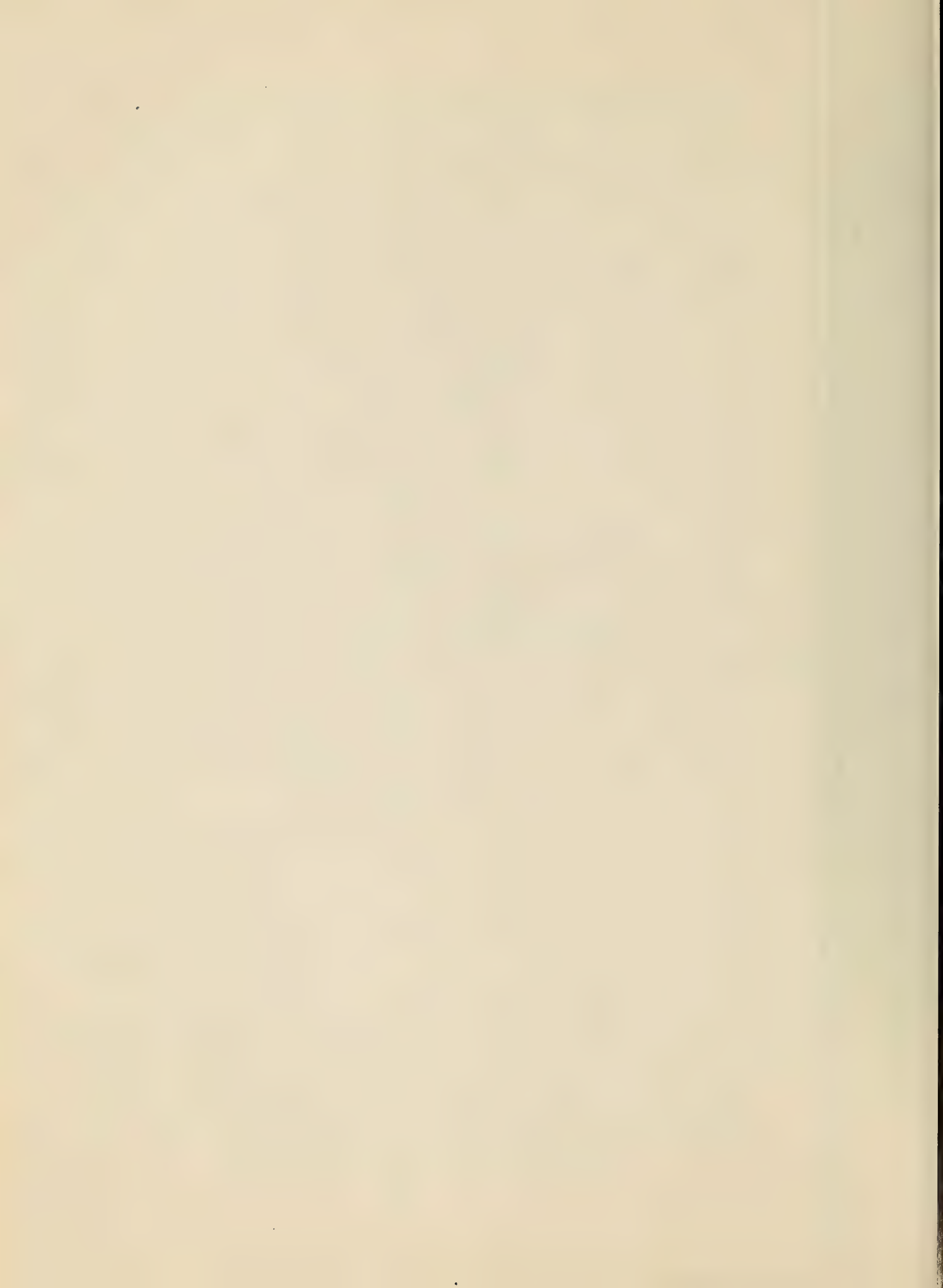
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1829

Department of State,

May 1829.

S. A. Elliot is hereby continued, the Copyist of the Patent Office, to execute, in and out of the office, the extra-copying of the same: he being responsible for the specifications, drawings, etc. used; and he paying the fees received for all legal copies in to the Treasury of the United States, according to law, and



receiving the same throughout in the manner prescribed by this Department.

Ed-3
JH

Department of State,
Patent Office June 24 - 1829.

To the Hon. Martin V. Ewing,

Secretary of State of the United States.

Sir,

In accordance with your sanction and request, I have drawn up what appears to me to be the best arrangement of the Duties to be performed in this Office; commencing with the First Clerk's, & ending with the Mechanist's; assigning to each such Duties as his situation & the business of the office seemed to require: Your particular inspection, and alterations of any part which you may deem incorrect, is most earnestly desired by

Your obt. Servant,

John T. Temple.

Ed-3
JH

(5012)

Dept. of State Patent Office
June 23 - 1829 -

First Clerk's Duties

- 1st. To assist the Superintendent in any business which he may wish; as in ... the correspondence, &c.
- 2nd. To make all entries in the Alphabetical ... and General Index Books.
- 3rd. To examine all copies of papers & Specifications previously to their being taken from this office.
- 4th. To examine all Patents, Enter them & send them off.
- 5th. To Enter all Models received, in the Register of Models.
- 6th. To transact (in the absence of the Superintendent) the business of the office in his name.
- 7th. To fill up and send off, all Bonds for the delivery of



Models at this office.

3d. To assist, when and where necessary, in copying specifications.

Record Clerk's Duties.

1st. To endorse & file away papers, take charge of the files of the office, & refer to them on occasions when applicants require it.

2nd. To see that the papers are kept in their proper places, & order the responsibility resting on him.

3rd. To take charge of and file away receipts for Treasury fees.

4th. To make out all heads of Patents & file away papers entered as Grants.

Print Clerk's Duties.

To record Patents & assist in copying specifications when necessary and label all Models.

Messenger's Duty.

To keep the rooms and desks in order, to carry all communications to and from the Dept. of State & the Army Generals, and record all letters.

Mechanic's Duty.

To keep all Models in repair & exhibit them when required.

I approve of the preceding

Wm. B. Brown

Washington July 3. 1829.

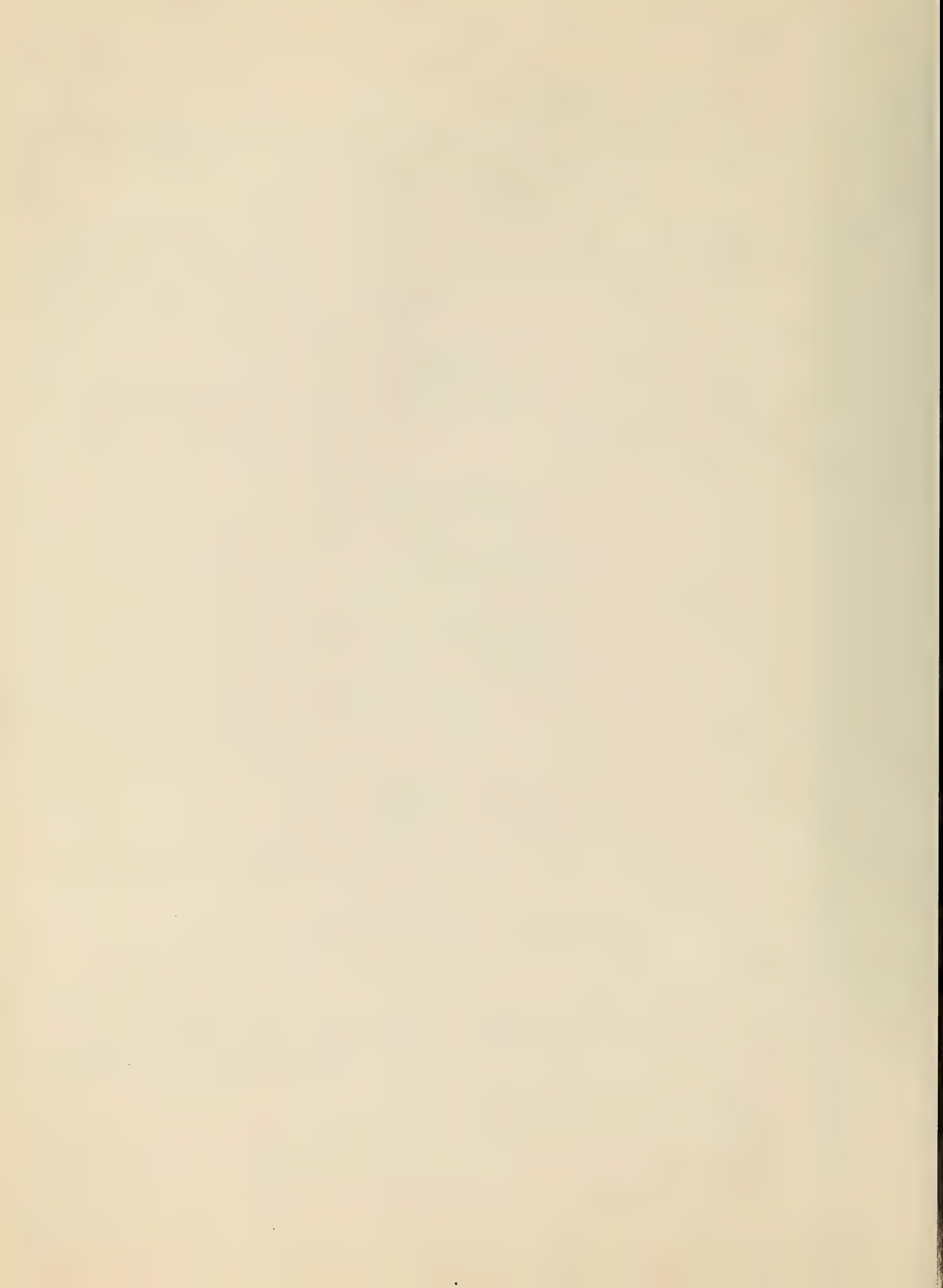
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File*

Patent Office, July 7. 1829.

John. Andrew Van Buren,

Sir,

I recommend it to be the attention



of the Executive to be annexed to the next Congress, an appropriation for erecting an Observatory; and in some conversations with Mr. Ingham on the subject, I expressed a wish that the Minister, about to proceed to London, might be instructed, to procure a plan & description of Trinity Observatory; it being considered among the most complete in Europe. Mr. Ingham highly approved of the proposal; but thought the application should be made to the Minister by the Secretary of State.

Should you, Sir, approve of the undertaking, I have no doubt but the desired information may be obtained, by your applying through Mr. McClean, to Dr. Pond, the Astronomer Royal; or to Dr. Bowdler, of Trinity College, Dublin.

Yours Respectfully,

John D. Craig

Enc
JDC

Dept. of State Patent
Office Jan. 1, 1830.

Sir,

In winding up and reviewing the labours of the last year, in this office, I find that Mr. Baileys, placed in this office by Mr. Clay on the 2^d of March last, has, in ten months, recorded 109 patents; which, at \$8.00 per doc. is equal to \$8.11 cents, each. At this rate the recorder (467) issued within the year, would cost \$2,730.

I am satisfied that to record one patent per day, at an average, would be a very moderate task, for an ordinary clerk; which would amount to 260 in ten months, instead of 109.

I have thought it my duty to submit this statement to you, Sir, and will be ever ready to act agreeably to your judgment in all such matters.

With sentiments of esteem & regard

Hon. Martin Van Buren

Yours Respectfully

Secy of State -

John D. Craig

Enc
JDC

Dept. of State Patent Office
Jan. 2^d 1830.

Sir,

In order that the Resolution of Congress, of 1802, may be complied with I herewith send a list of the patents, & patentees, for the year 1829. Also, the first number of a quarterly list, agreeably to instructions from the State Department, dated Oct. 30. 1829.

Very Respectfully,

Hon. Martin Van Buren
Secretary of State.

John D. Craig.

Enc

J.D.C.

Patent Office Jan. 20. 1830.

Sir,

According to your instructions, I wrote to Mrs. Thornton & Mr. Elliot. Copies of the letters, and Mr. Elliot's answer, I have the honor now to transmit.

I beg leave to observe, that the causes assigned by Mr. E. are altogether insufficient. The patents re-issued are all marked in the Entry Book, and not one of them taken into the list. I made out. If they were, they would not answer the purpose. Thus in 1818, there was not one re-issue, yet there was a deficit of \$1920; & 58 patents omitted in the Secretary's Report to Congress. In 1819, there was one re-issue, & a deficit of \$1620: and in no one year does there appear to have been more than three patents re-issued. The other causes assigned, it is presumed, require no notice.

From Mrs Thornton no answer is received.

With great respect I am, Sir,

John D. Craig

Hon. Martin Van Buren
Secretary

of State

Enc

J.D.C.

Enc
J.D.C.

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H.R. Jan 38
1.740



57

Dept. of State, Patent Office
January 15th 1830

Madam,

You are respectfully requested by the Hon. Mr. Van Buren, Secretary of State, to afford this Office such information or explanation, as it may be in your power to communicate, in relation to a discrepancy which appears to exist between the number of Patents issued from the year 1790 to the year 1828, (inclusive) & the amount of money paid into the Treasury of the U. States; the deficit of money is from four to five thousand dollars.

Any communication you may please to make, is requested on or before Tuesday next.

I have the honour to be Madam,

Your obt. Servt.

Mrs. A. M. Thornton.

(Copy)

John D. Craig.

Department of State,
Patent Office, January 15th 1830.

Sir,

You are respectfully requested by the Hon^{ble} Mr. Van Buren, Secretary of State, to afford this Office such information, or explanation, as it may be in your power to communicate, in relation to a discrepancy which appears to exist, between the number of Patents issued from the year 1790, to the year 1828 (inclusive) & the amount of money paid into the Treasury of the U. States; the deficit of money, is from four to five thousand dollars. —

Any communication you may please to make, is requested on or before Tuesday next.

Yours Respectfully

William Elliot Esq^r
(Copy)

John D. Craig

Printed!
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p 790

Exd
JDC

Printed!
HR Doc 38
p 791

Exd
JDC



Washington Jan'y. 16th 1830.

To John D. Craig Esq.

Superintendent of the Patent Office.

Sir,

Yesterday I received your letter of the 15th inst. requesting information respecting a discrepancy which appears to exist between the patents issued and Treasury receipts to which I most respectfully reply. -

In order to understand the principle on which patents were issued, by the late Dr. Thornton for many years, it will be necessary to recur to the origin and progress of the patent office.

From about the year 1770 till 1803, the patents were issued by a clerk in the Dept. of State. At that period Dr. Thornton was appointed by Mr. Jefferson to issue the patents and took upon himself the title of Superintendent; and he continued to issue them for 24 years, or till the time of his death in 1827. -

During many years of his Superintendence he considered himself to be invested with, and exercised fully, much discretionary power in the issuing of patents; for he held it as a maxim, and, I believe, a very good one, that the patent law was made solely for the encouragement of authors and inventors; and not to collect revenue: and therefore when any mistake or omission took place in issuing patents, whether by the inventor or the office, he would order a new one to be issued, without the payment of an additional patent fee; however, it was not till about the years 1815, or 1816, that he put this principle in full operation, and from that time till about 1824, many patents were issued for amended specifications, without the payment of any additional fee.

A minute or memorandum was regularly made of all patents issued, whether for new, or corrected, specifications: and a much greater number of patents will appear in the entry books, than there are Treasury Receipts. - Also in the annual report made

Patent
1830 Dec 30
1771-3



to Congress of patents issued, those for which no fee had been paid, were omitted: or rather, I believe, the Doctor reported only as many patents as there were Treasury receipts. This, of course, will make the list of patents furnished to Congress appear to contain fewer names than the entry books. It remains to be proved by experience whether the present system of issuing patents, without limitation, or obstruction, is more beneficial to the country than the judicious exercise of a discretionary power, vested in the Superintendent, to aid the ingenious, but poor man, in obtaining a perfect patent, without farther expense than the original patent fee; and, also, for refusing patents, (under the control of the Secretary of State and Atty. General), to mere Speculators, (not inventors), who make a business in levying contributions on the public, by licenses, under the title of "Patents", for neither new nor useful inventions, signed by the President, Secretary of State, and Attorney General; and who fill the country with litigation.

There are other causes that operated in producing a disagreement between the number of patents issued and the Treasury Receipts: For in all cases where the money was lost, a patent was issued without a fee - the patent itself containing a receipt for the Patentee.

However, besides the causes above mentioned, it was frequently discovered, by those in the Office, that owing to the want of a proper system, patents were issued by mistake without a fee: therefore, to avoid in future these mistakes, and to introduce into the office a more perfect system of accountability, about 6 or 7 years ago, I made a representation of the same to the Secretary of State, and the Chief Clerk D. Brent Esq. in consequence thereof, about the year 1823 or 1824, all monies received for patents were ordered to be paid into the hands of the agent of the Dept of State. About the same time, it was decided, by the Attorney General of the U. S. that all patents re-issued for defective specifications, (except for clerical errors) were required to pay a new fee: from that time, therefore, till the present, the Treasury Receipts and number of patents issued, as minuted in the entry book, will probably, nearly correspond; tho



not exactly, because the money was often received in one year, and the patents issued in another.

I will here beg leave to remark, (though it does not exactly come within the request of your letter, nor will it account for the discrepancy referred to) that in cases where a person had inadvertently paid his money into the Treasury, and could not withdraw it, the Doctor was in the habit of transferring this individual's money to pay the patent fee of another; and giving the money of the new applicant to the one whose money was already in the Treasury, but did not wish to have a patent: thus, many patents will appear to have been issued without fees, because the money was paid in a different name from that of the person obtaining the patent.

As regards myself, during the many years I was in office, it never was any part of my duty either to receive the patent fees or issue the patents: mine was the laborious part of copying specifications, and giving information; and I can say with truth, that much of the money now in the Treasury, to the credit of the Patent Office, over and above all expenses attending the issuing of patents, was earned by my labors.

In some cases, when applicants for patents sent their money and papers, and the invention was not considered new, or interfered with another, the money was then deposited in a Bank, till a decision took place. This account was, at first, kept in the Bank of Columbia, in the Doctor's name; after the removal of that Bank, it was deposited in the Bank of the Metropolis, where it was kept for some time; but being found troublesome, and not profitable to the Bank, (the amount deposited being trifling; and after several individuals deposited and drawn out) the account was ordered to be closed by that Bank. Then, at the request of Dr. Thornton, an acct^y for the above purpose was opened with the Patriotic Bank in my name. This also was closed in 1825; as will be seen by the statement of Robt. W. Ten-wick, herewith enclosed. However, it will be seen these were altogether private responsibilities, and did not in any way concern the public; the person sending his money will, of course look for repayment to the person receiving it: as far as it respects me, all these cases have been fully discharged.



Since 1825 till the time I left the patent office, in May, 1829, all moneys received for Patents, whether to be paid immediately into the Treasury, or deposited in the Bank, were paid into the hands of the Agent of the Dep't of State. Therefore,

The causes of the discrepancy between the patents issued and the Treasury Receipts, were in my opinion, occasioned chiefly, by

- 1st. The re-issuing of patents for defective Specifications, without additional patent fees.
- 2nd. For patents issued when the money was lost &c.
- 3rd. For patents issued, through mistake, without the fees being first paid, & for want of a proper system such as was adopted in 1824.

I am, most respectfully

Your obedient servant

William Elliot.

EW

JRE

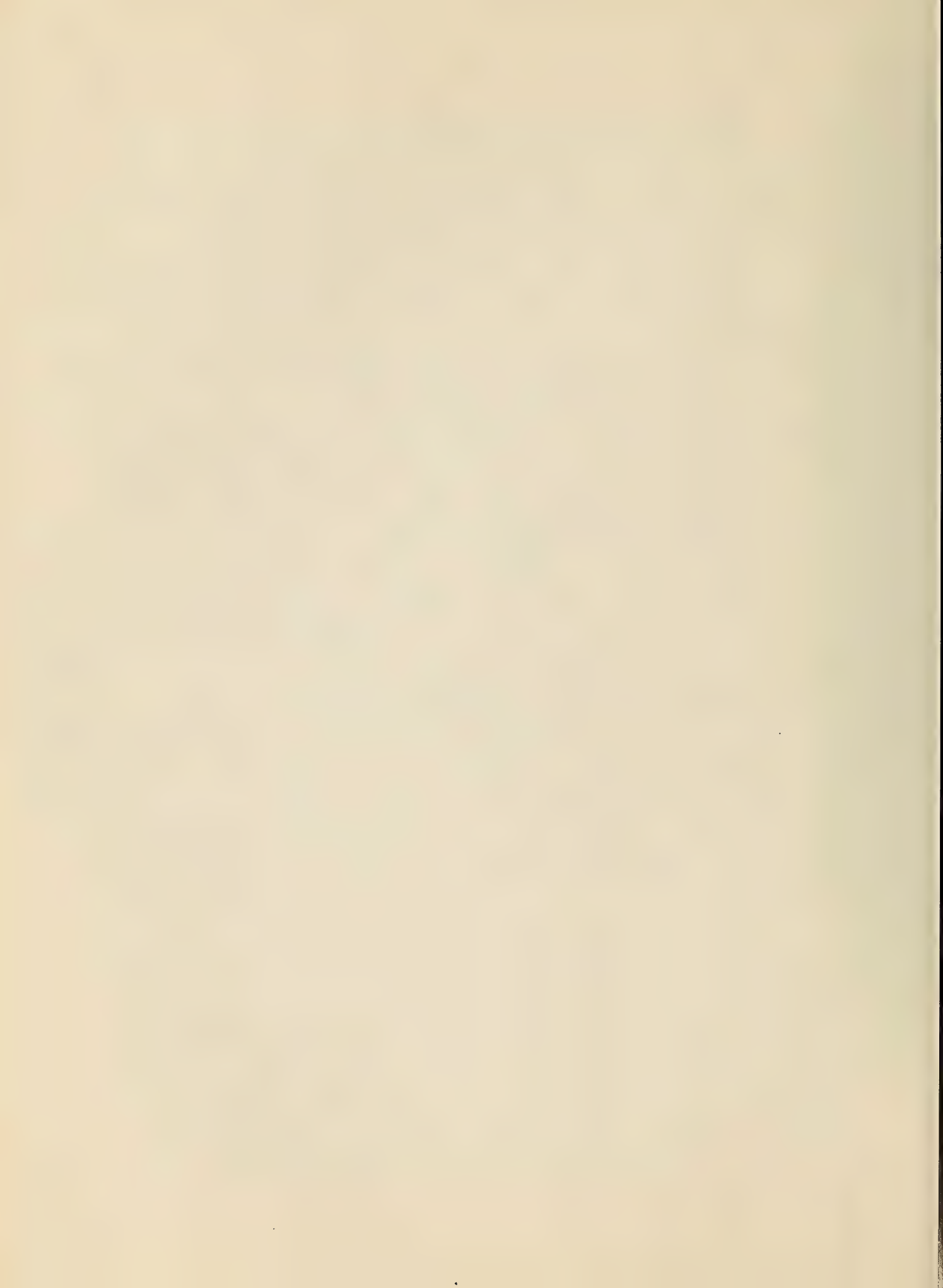
Washington County District of Columbia, Gs.

On this 3^d day of December 1829 personally appeared before the subscriber a Justice of the Peace in and for the above county; Robert W. Farwick of the City of Washington, D.C. and made oath according to law to the truth of the following Statement of facts, according to the best of his knowledge and belief

C. H. Wharton J. D.

Statement above referred to. That previous to the year 1825 or thereabouts, it was the custom of the late Superintendent of the Patent Office, Dr Thornton, to receive all Patent fees; and when the patents were ordered by him to be issued, to send the money to the Treasury: But in cases where they were not immediately decided on, either to retain the money in his own hands or put it into a bank till a decision took place: if the patents were to be issued, then the money

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p 793-4



was paid into the Treasury, but if not issued, it was returned to the person who sent it; and that I have in every instance paid all the money thus entrusted to my care into the Treasury.

I also further solemnly swear that in the cases where the money was deposited in the Patriotic Bank in the name of William Elliot it was so done by the request of the said Dr. Thornton and that the name of the person sending it, was always mentioned in the note, accompanying it to the Bank; and the same name was always mentioned in the order which drew it out again. And further, that when William Elliot declined having any more to do with the money belonging to the applicants for Patents his account was settled at the Patriotic Bank, and his Bank-book with the orders or checks by which the different sums had been drawn were delivered to the said Dr. Thornton, examined by him, and found correct.*

Witness

R. W. Fenwick

Exo
JHR

C. H. W. Whiston

* This took place in the year 1825.

Patent Office Jan. 21, 1830

Sir,

I hereby transmit the original affidavit of R. W. Fenwick; it being Mr. Elliot's wish that it should accompany your communication to Congress.

Very Respectfully,

Sam. Martin Van Buren,

John D. Craig

Exo
JHR

Secretary of State.

Dept. of State Patent Office
Apr. 1 - 1830.

Sir,

I have the honor of transmitting herewith, a list of

the patents, issued from this office, during the three months of the present year, now terminated; also the several dates of the Treasurer's receipts, for the fees of said patents.

Very Respectfully, Yours &c. &c.

Hon. Martin Van Buren,
Secretary of State. —

John D. Craig

Exd
JDK
62

Patent Office, Apr. 3 - 1830.

Sir,

Being desired to state in writing, any objections to issue a patent on the conditions insisted on by the Hon. Wm L. Storrs, I beg leave to observe, that the alleged invention in question, being a composition of . . . matter; and that the law, in all such cases, requires, not only a written description of the invention, and of the manner of using, or process of compounding the same, but also; — "Specimens of the ingredients, and of the composition of matter, sufficient in quantity, for the purpose of experiment." The law being thus imperative; and having been consistently adhered to by my predecessors, as far as I can discover, I trust that I will not be compelled to violate, what I have undertaken, and solemnly sworn, faithfully to execute. I am

With great respect,

Your obedient Serv^t

Hon. Martin Van Buren,
Secretary of State. —

John D. Craig

Exd
JDK
62

Pat. Office, 3^d Apr. 1830.

Dr. Jas. D. Craig,
Supt. of the Pat. Office

Sir,

The usage of this Office in cases of applications for Patents for a compound or composition of matter, has been,



so numerous of the persons applying, the ingredients (or specimens of them) in quantities sufficient for experiment.

Very respectfully,
Dear Sir,

Most M^{rs} John Clerk

William P. Elliot.

Enc 2

J.R.

Patent Office, Apr. 27 - 1830.

Sir,

Perceiving yesterday that I was trespassing on your time, I did not state one principal objection to the granting of patents to foreigners, or any others, for improvements in machinery, without models. Now, suppose it done; and, as frequently happens, in the present rapid state of improvements, that a citizen soon after makes a similar improvement. In order to see whether he is anticipated he comes to the Patent Office and examines the models: and as he finds nothing there similar to his alleged improvement, he takes out a patent. The first patentee is soon apprised of the fact, enters a suit against the second. Sets aside his patent, & casts him in heavy costs & damages. All which would have been avoided had the first been compelled to furnish a model.

Very Respectfully,

Hon. Martin Van Buren
Secretary of State.

John D. Craig

Enc
J.D.C.

Patent Office June 30 - 1830.

Sir,

I beg leave to request your opinion respecting the measures to be taken with the Resolution of Congress, of which the enclosed is a copy.

Very Respectfully

Hon. Martin Van Buren,
Secretary of State.

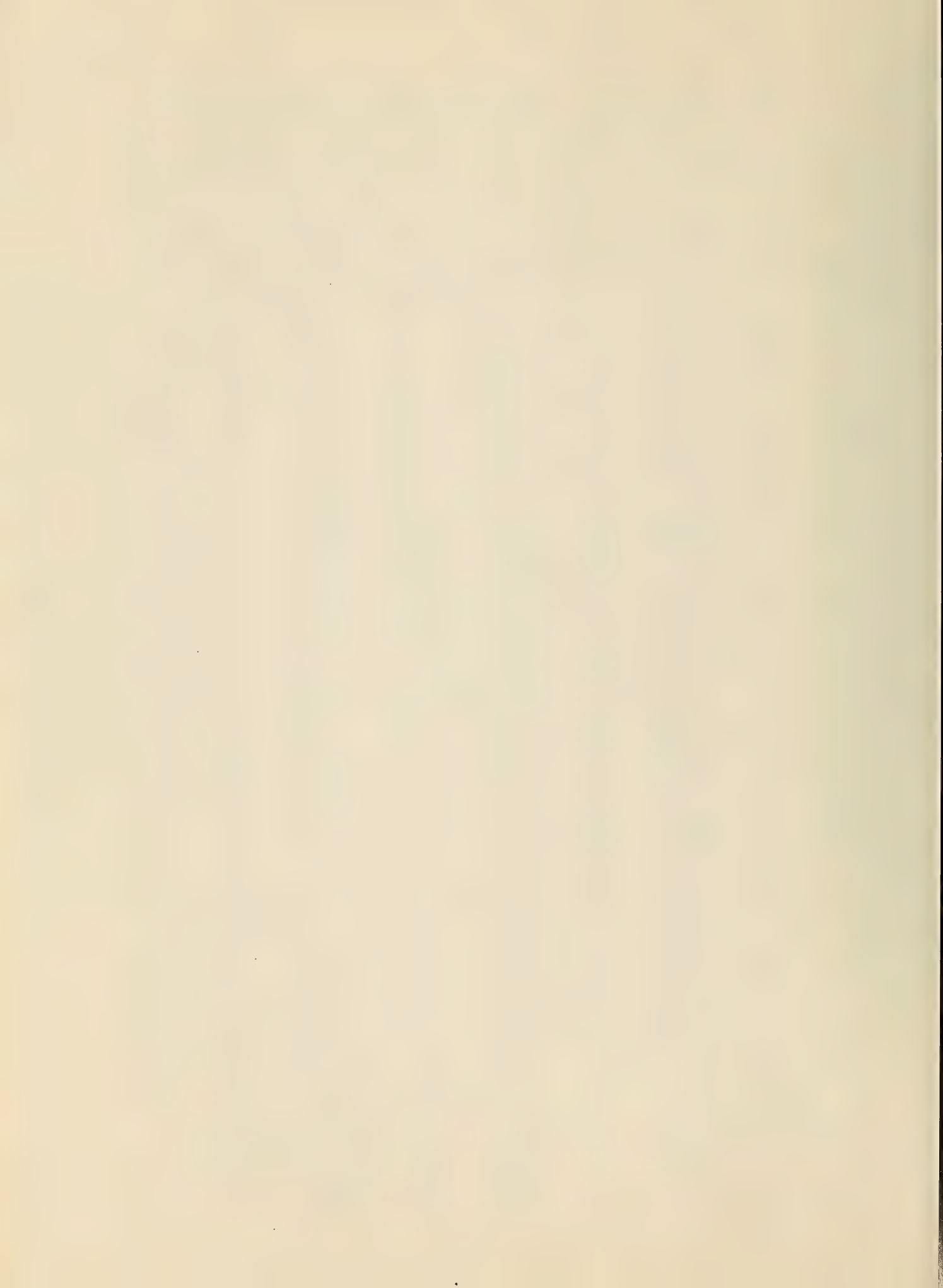
Dear honorable Sir,

John D. Craig

Enc
J.D.C.

Statement of monies received by William P. Elliot for making out and refund of Patents, Drawings, and for recording transfer of Patent Rights, from the 31st of December 1829 to the 31st of December 1830 inclusive.

1 st Quarter			2 nd Quarter			3 rd Quarter			4 th Quarter		
Jan ^y 1	D.	C.	April 1	D.	C.	July 1	D.	C.	Oct ^r 1	D.	C.
Jan ^y 1	1	0	April 1	1	18	July 1	1	0	Oct ^r 1	1	0
" 6	8	10	" 2	0	36	" 2	0	25	" 1	1	0
" 6	4	70	" 5	2	45	" 8	1	44	" 2	3	0
" 7	0	50	" 7	0	41	" 10	2	25	" 2	0	50
" 9	2	69	" 7	1	53	" 17	8	12	" 4	1	44
" 11	1	0	" 8	1	17	" 19	2	25	" 4	1	0
" 14	4	50	" 8	0	55	" 20	1	55	" 5	3	0
" 16	5	0	" 9	3	0	" 19	12	30	" 6	2	0
" 16	1	76	" 10	2	0	" 21	1	32	" 8	3	0
" 18	2	0	" 10	1	37	" 24	2	97	" 8	0	50
" 18	0	50	" 14	1	12	" 24	2	50	" 18	3	50
" 21	3	13	" 15	0	25	" 28	3	0	" 19	0	84
" 23	1	34	" 15	2	0	Aug st 7	22	84	" 20	3	75
" 25	1	0	" 16	1	0	" 10	1	0	" 23	1	11
" 26	2	0	" 17	1	21	" 12	1	48	" 27	2	0
" 30	0	50	" 17	7	01	" 21	4	60	" 27	2	50
Feb ^y 1	2	91	" 21	2	0	" 23	0	50	" 28	5	0
" 2	0	67	" 23	1	0	" 25	2	0	" 29	1	0
" 3	4	39	" 26	1	50	Sept ^r 13	4	50	" 30	3	0
" 4	4	50	" 26	0	75	" 16	1	0	Oct ^r 1	1	0
" 5	0	50	" 28	4	50	" 16	2	62	" 6	3	50
" 5	1	25	" 29	2	90	" 18	3	46	" 6	1	50
" 5	0	36	May 1	25	11	" 21	0	50	" 8	1	50
" 8	5	0	" 3	21	0	" 22	1	75	" 9	2	25
" 9	0	25	" 3	0	41	" 22	1	0	" 9	1	25
" 10	2	50	" 5	2	0	" 25	10	0	" 9	16	0
" 10	0	50	" 7	1	50	" 27	2	25	" 10	1	0
" 11	0	75	" 8	4	56	" 28	2	50	" 12	3	0



Feb ^y 15	2 20	May 8	60	Sept. 29	1 60	Nov. 15	7
" 16	1 44	" 17	75	" 29	2 -	" 16	5
" 17	3	" 13	1 88	" 30	2 -	" 19	1
" 19	" 50	" 17	1 -	\$ 106 85		" 22	77
" 20	2 85	" 18	2 50	1 50		" 27	40
" 20	1 56	" 19	2 -	\$ 105 35		Dec 1	1 50
" 23	5 41	" 21	4 25			" 1	1 25
" 25	4 -	" 22	1 13			" 6	3 -
" 26	1 75	" 22	1 -			" 10	4 50
" 27	3 60	" 24	5 -			" 11	7 -
March 1	" 50	" 26	4 25			" 8	4 25
" 1	1 25	" 28	3 50			" 10	5 -
" 2	9 53	" 29	4 74			" 13	4 45
" 2	2 -	" 31	1 68			" 14	5 -
" 3	19 67	June 2	2 44			" 14	" 56
" 4	2 69	" 4	2 25			" 14	1 50
" 5	2 75	" 4	2 -			" 16	" 50
" 5	4 50	" 14	2 25			" 17	" 50
" 4	2 -	" 14	1 -			" 17	1 50
" 10	1 50	" 17	2 88			" 21	1 30
" 10	" 75	" 23	2 11			" 21	2 -
" 11	1 -	" 28	1 -			" 23	1 -
" 13	4 37	" 28	" 50			" 23	3 -
" 15	1 56	"	\$ 140 96			" 27	1 -
" 16	" 78	"	1 75	for seeds		" 27	2 -
" 20	3 44	"	\$ 139 21			" 29	3 -
" 22	4 75	"				\$ 132 20 -	
" 24	4 52	"				3 50 16	
" 29	" 81	"				\$ 128 70	
" 30	" 40	"					
\$ 158 68							
1 50		seeds					
\$ 154 18							

\$ 158.68 first quarter
100.96 second do.
106.85 third do.
132.20 fourth do.

\$ 538.69

Deduct for 45 seats. 11.25

\$ 527.44 amount of proceeds received for
copying &c. during the year 1830.

William P. Elliott.

Enc
JRE

Patent Office Jan. 1 - 1831.

Sir,

Accounts similar to the enclosed from the copying Clerk,
were formerly given in to Mr. Muddell, who, it is understood, declines
receiving any more of them, & am at a loss to know how to dispose
of it.

Very Respectfully,

Hon. Martin Van Buren,

John D. Craig

Secretary of State.

Enc
JRE

Patent Office April 1, 1831.

Sir,

When Mr. Isaacs applied for his Patent, he expressed
an anxious desire to have it issued as soon as possible. With a
view to his accommodation, I sent his money immediately to
the Treasury; from which, of course, it cannot be withdrawn.

Very Respectfully,

Hon. Martin Van Buren,

John D. Craig

Secretary of State.

Enc
JRE

Dept. of State, Pat. Office March 28th 1831.

In consequence with the request of the Secretary of State, in
the case of Lee vs. the Patent Office, the Superintendent has the honor



To submit the following report:

Granting to Mr. Lee all the advantages his own statement will furnish, it is believed that he has no just cause of complaint. The same channels for gaining information from the Office, are open to him that all others have. He can, by paying the legal fee, obtain copies of any patented papers, and drawings in the Office. Or by visiting the Office he can peruse, in the room in which they are deposited, the original papers belonging to any patent that has been granted.

These facilities are granted to all applicants, and are considered quite sufficient. But to give every applicant on demand, an account of the coincidences & divergencies, between what he claims and what has been claimed by all that went before him, would be a task which twenty clerks could not at present accomplish. In the case before us, to collate and compare all the Patents in this Office, on steam boilers, with that of Mr. Lee, would be the labour of several weeks, and the report would form a volume of considerable size. The thing is therefore impracticable, as well as an evasion of the law which declares that 20 cents per 100 words shall be paid for all copies made out in the Office. And to suffer any unperfected papers filed in the Office, to be taken out of it, or inspected by any except the owners, would be to throw open another avenue to Patent frauds; of which there are plenty already; and as far as can be learned, no such practice has ever been permitted in the Office; if therefore it has been tolerated in any instance, it must have been clandestinely.

The Superintendent is well aware, that great pains have been, & still are taken in a certain quarter to excite prejudice against him, but careless & jealous of all such attempts, he will persevere in the faithful & important discharge of his duty.

All which is respectfully submitted

John D. Craig

Ex^o)
20/16

69

Department of State,
Patent Office, April 27 1831.

In compliance with the request of the Secretary of State, made this morning thro' David Brewster Esq^r the Superintendent of the Patent Office has the honor to submit, in addition to the Report of the 23^d of M^{ch}, the following:—

Dr Jones was not refused permission to examine the papers of Mr. Lee, after the presentation of an order authorizing him so to do. nor was it intended to refuse him the privilege of examining any Patented papers, in the room where they are filed, and in the presence of the Clerk having charge of them. But according to the long established rules, a not invariable usage of the Office, the liberty was withheld, to examine unpatented papers, (except as in the case of Mr. Lee, an order from the owner of papers, to do so was presented,) or to take patented papers out of the Office for comparison, or examination.

Respectfully Submitted,

John D. Craig

End
JDC

Patent Office, May 28-1831.

Sir,

That you may have a correct knowledge of the present state of this Office, I take the liberty of sending herewith a copy of the Report, submitted to Congress, during the last Session; but not used on.

Very Respectfully

Thos. Edmund Livingston
Secretary of State.

John D. Craig

End
JDC

Patent Office, June 1, 1831.

Sir,

Agreeably to your request, I have the honor to submit, for the use of Government, the following Report.

The number of patents issued during the last year, was five hundred and forty two, and the corresponding amount of fees paid into the Treasury, \$16,528.

The whole current expenses of the Office, during the said time, for which here contingencies was 650.

Leaving a balance in favour of the Revenue, of 9,820.

The appropriations granted at the last session of Congress, to complete the fixtures of the Office, was, 4,600.

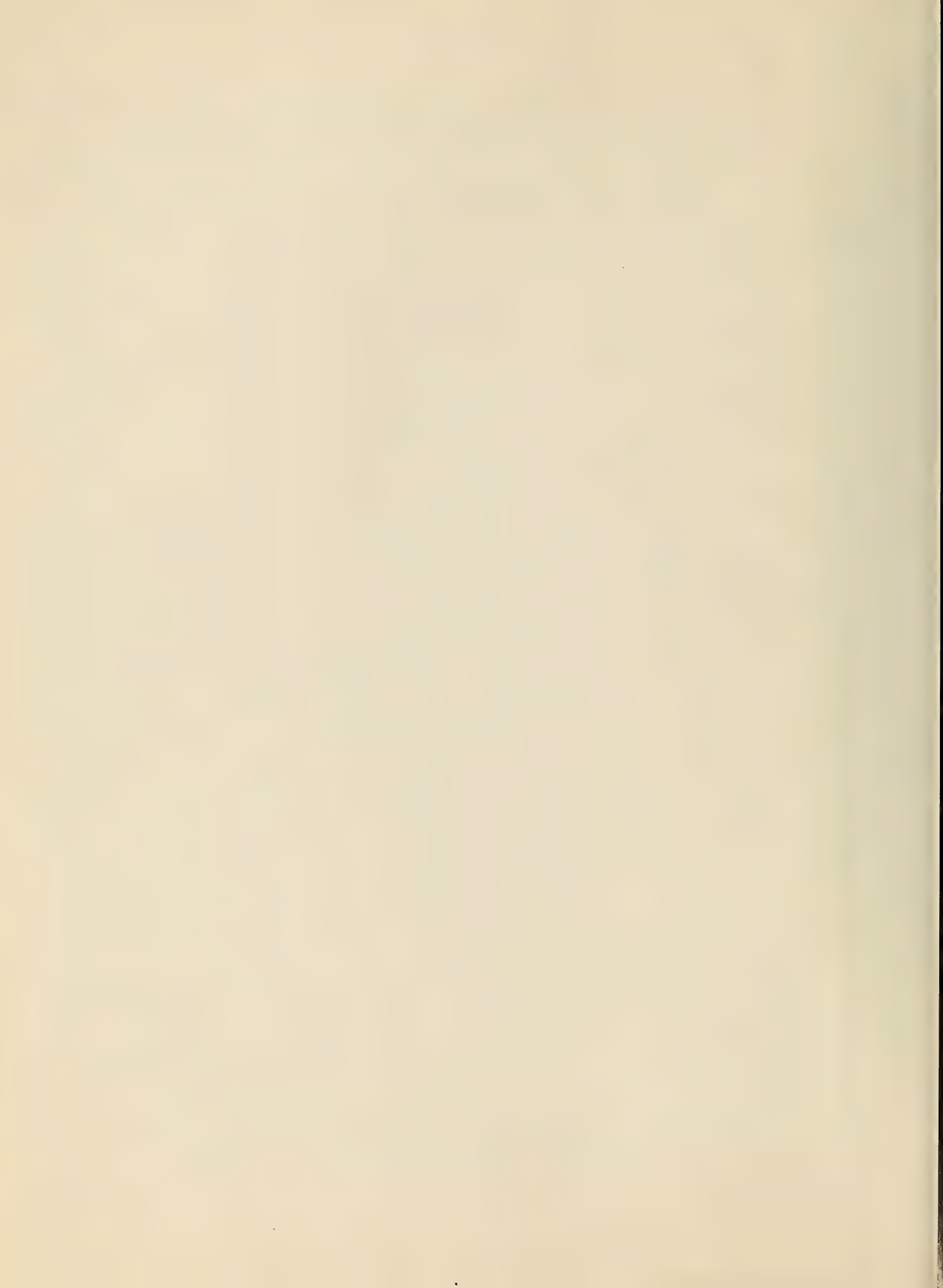
This object has as far as practicable, been accomplished; the amount expended as per receipts, being, 3,530.40

Leaving an unexpended balance of 1,069.58 which has been paid into the Treasury.

It was contemplated to expend two hundred dollars of said appropriation, in fitting up for a Machine Shop, the second story of the Engine House, adjoining the Office; but on examining the Act of Congress, authorizing the building of that house; it appeared to have been intended exclusively for the Engine, its apparatus, and the meetings of the Fire Engine Company. A Machine Shop for the Office is indisputably necessary; and none for the purpose could be more appropriate than the house mentioned; though badly calculated for its present use. Should Congress be proper to authorize the building of an Engine house, on the north west corner of the lot belonging to the General Post Office, similar to that near the Hospital, and assign the old one to this Office, it is believed the arrangement would be highly advantageous.

The whole number of patents issued by this Office since its organization, is 6271 of which no more than 900 are yet recorded; though the law expressly declares, that "all patents issued shall be recorded in a book kept for that purpose;" and many of the original papers are so much worn, and the ink so much faded, that ere long they will be illegible.

To record three hundred of these papers now, would be sufficient employment for a good copying clerk, consequently it would require at least two years to record the unrecorded patents now in the Office; and it



would require two in addition to the present number to keep up the current business of the Office, and record agreeably to the existing laws, the patents as they are issued.

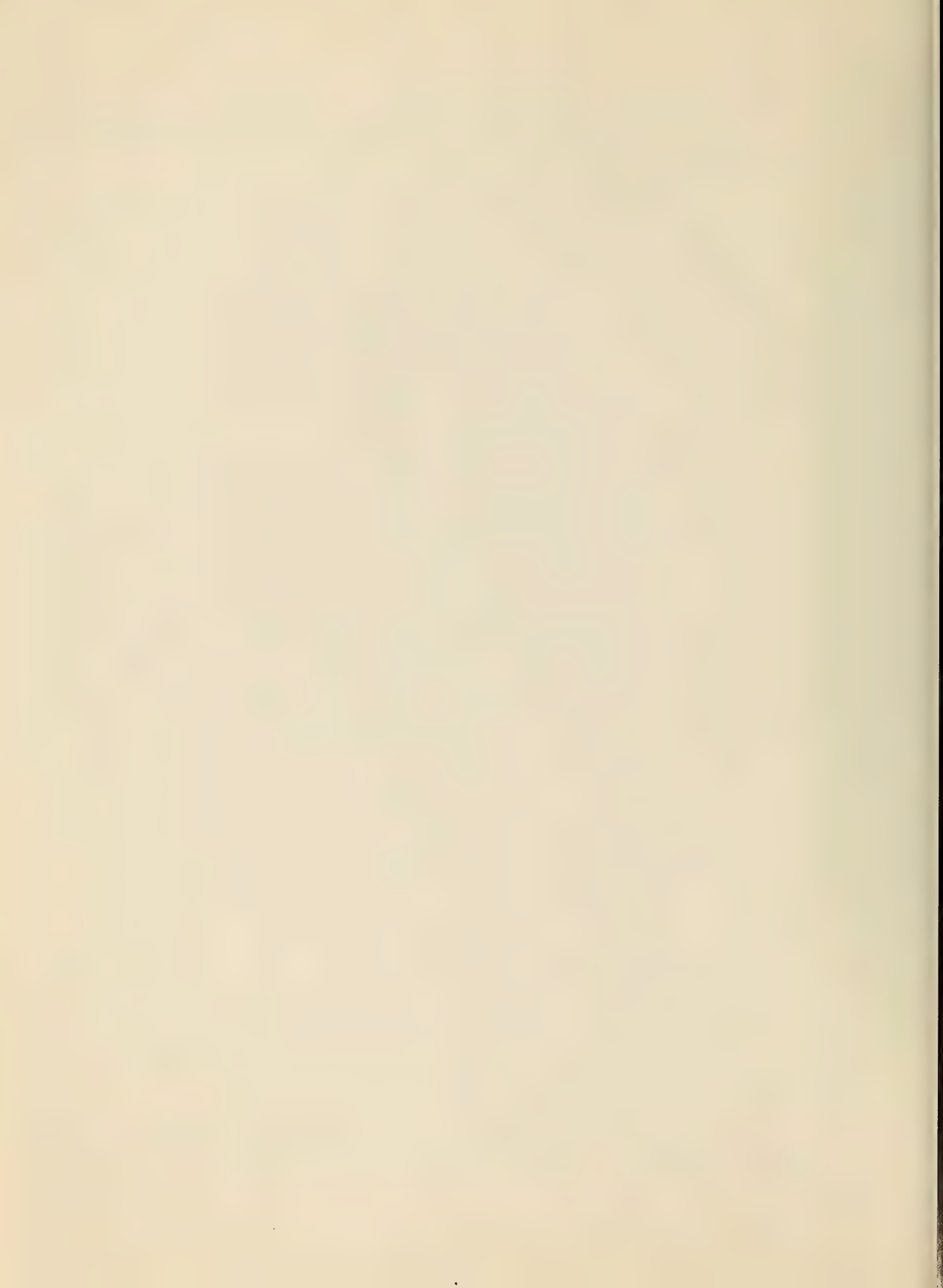
Should Congress in its wisdom think proper to appropriate means for accomplishing these objects, it is respectfully suggested, whether instead of allowing the recording clerk, an annual salary, it would not be preferable, to pay each of them monthly, at a fixed rate, in proportion to the quantity he had correctly recorded. This method, it is believed, would tend to excite industry; accomplish the business, with the same number of clerks, in much less time; be less expensive, and render every one employed according to his performance.

Among the patents issued from 1816 to June 1829, there are 240 the drawings belonging to which, were not to be found in the Office, at the last mentioned date. This circumstance places the Superintendent in a very disagreeable situation, when copies of any such are called for; and affords a strong argument in favor of making it proper to take from the Office either papers, drawings or Models belonging to it.

In the Report from this Office, submitted to Congress during the last Session, it was respectfully suggested, whether an increase of the Treasury fee for obtaining patents, would not be advantageous to the community at large, and also to the individuals whose discoveries, or improvements are really entitled to encouragement and protection; and daily experience tends to confirm the same opinion.

Patents are frequently demanded, and cannot be refused, for alleged discoveries or improvements, that have not the shadow of claim to originality; yet the citizens in general, prefer submitting to the imposition, rather than ^{they} undertake to vindicate their common rights, by an appeal to a judicial tribunal. It is believed that augmenting the Treasury fee, would in a great measure remove this evil; and afford additional security to Patents who merit protection.

It is also respectfully submitted, whether it would not be advantageous to publish annually a list of such patents as had expired during



the preceding year. It is known that the community has been imposed on by persons selling patent rights after they had expired. Such a publication would tend to prevent such impositions.

At present the patent office is a source of revenue; which, it is presumed, the Government never intended; and the compensation received by those connected with it, is far less, in proportion to their labor and responsibility, than that in any other office of the Government within the District; said compensation having been fixed when neither the labor nor responsibility was one fourth of what it is at present. It is therefore sincerely hoped that Congress will take this subject into consideration; revise the whole system, and appropriate its income, or so much thereof as may be considered expedient, to its own expenditures, and the extension of its utility. Unfortunately, an opinion appears to have prevailed, that the establishment was not an object of sufficient importance, to require any particular Legislative attention. Should Congress in its wisdom see proper to appoint a committee of their Honorable Body, to examine its present condition; perhaps the Report of the Committee, would induce a different impression, and lead to improvements, of which the office is susceptible, and to which its resources are fully adequate.

With Great Respect,

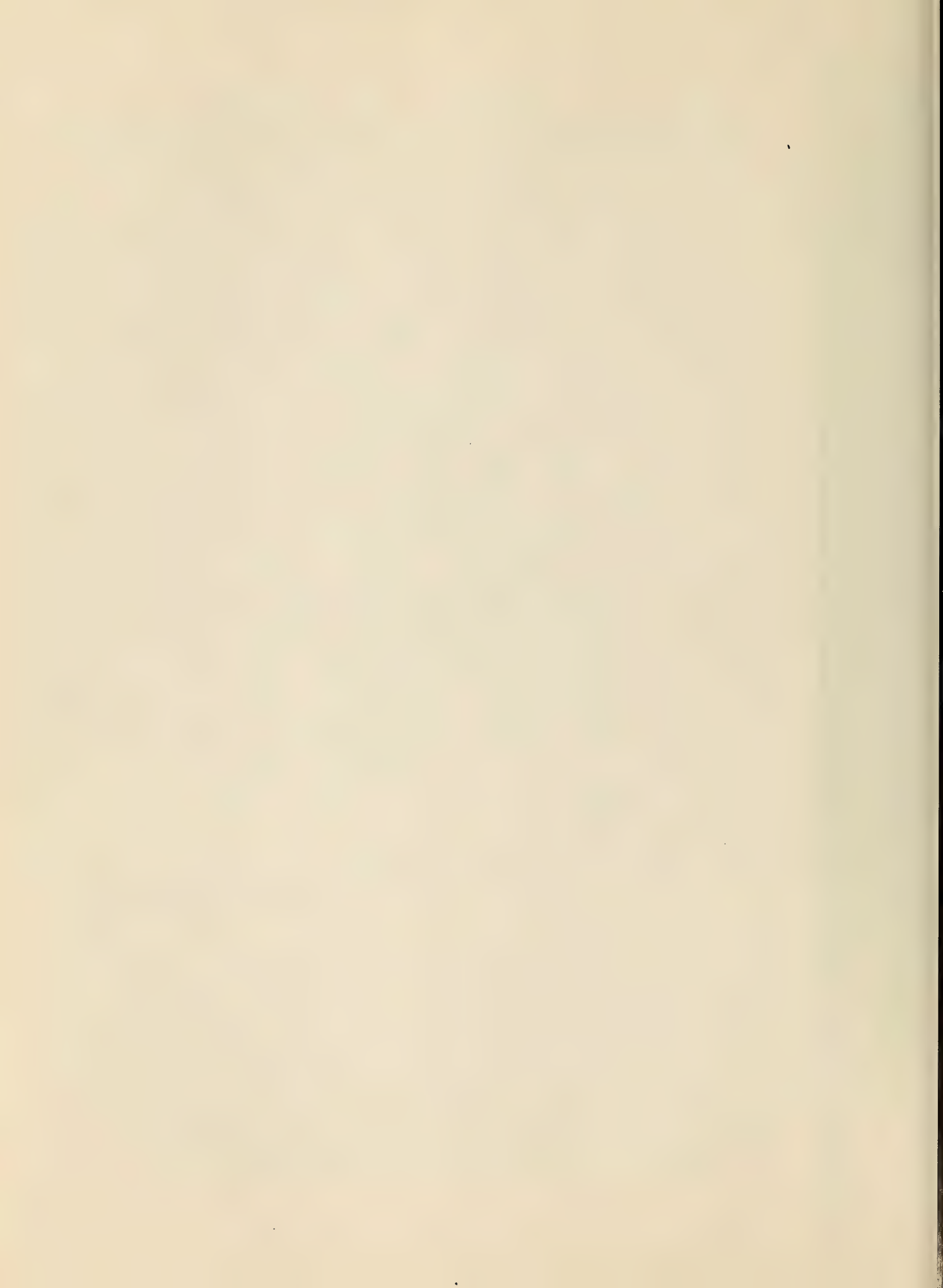
Hon. Martin Van Buren
Secretary of State

Yours truly

Dept. of State, Patent Office
July 1831.

The Superintendent of the Patent Office presents his respects to the Secretary of State, and requests that the opinion of the Attorney General on the following queries, may be obtained.

First. A patent having been issued for any improvement in the useful arts, and afterwards cancelled by petition of the Patentee, another, bearing the same date, comprising an additional improvement, issued in his favour - would it be legal.



at any period before the expiration of said Patent, to issue another exclusively for said additional improvement, so as to secure the right there of to the inventor, as long after the original Patent expired, as the aforesaid cancelling was subsequent to the original issue: in other words, to secure to the inventor the exclusive right of the second improvement, fourteen years?

Second, Is there any legal authority for the practice of cancelling and of inserting alterations and improvements in a subsequent issue, as above?

Third, Is it consistent with the existing Patent Laws, that one individual shall have the privilege of carrying into the Patent Office, and taking copies of papers belonging to it, without paying in to the Treasury the specified fee of twenty cents per hundred words in said copies?

Fourth, Do the existing Patent Laws of the U. S. authorize the Secretary of State to employ a sufficient number of Clerks to discharge all the duties of the Patent Office, as required by said laws?

Respectfully submitted.

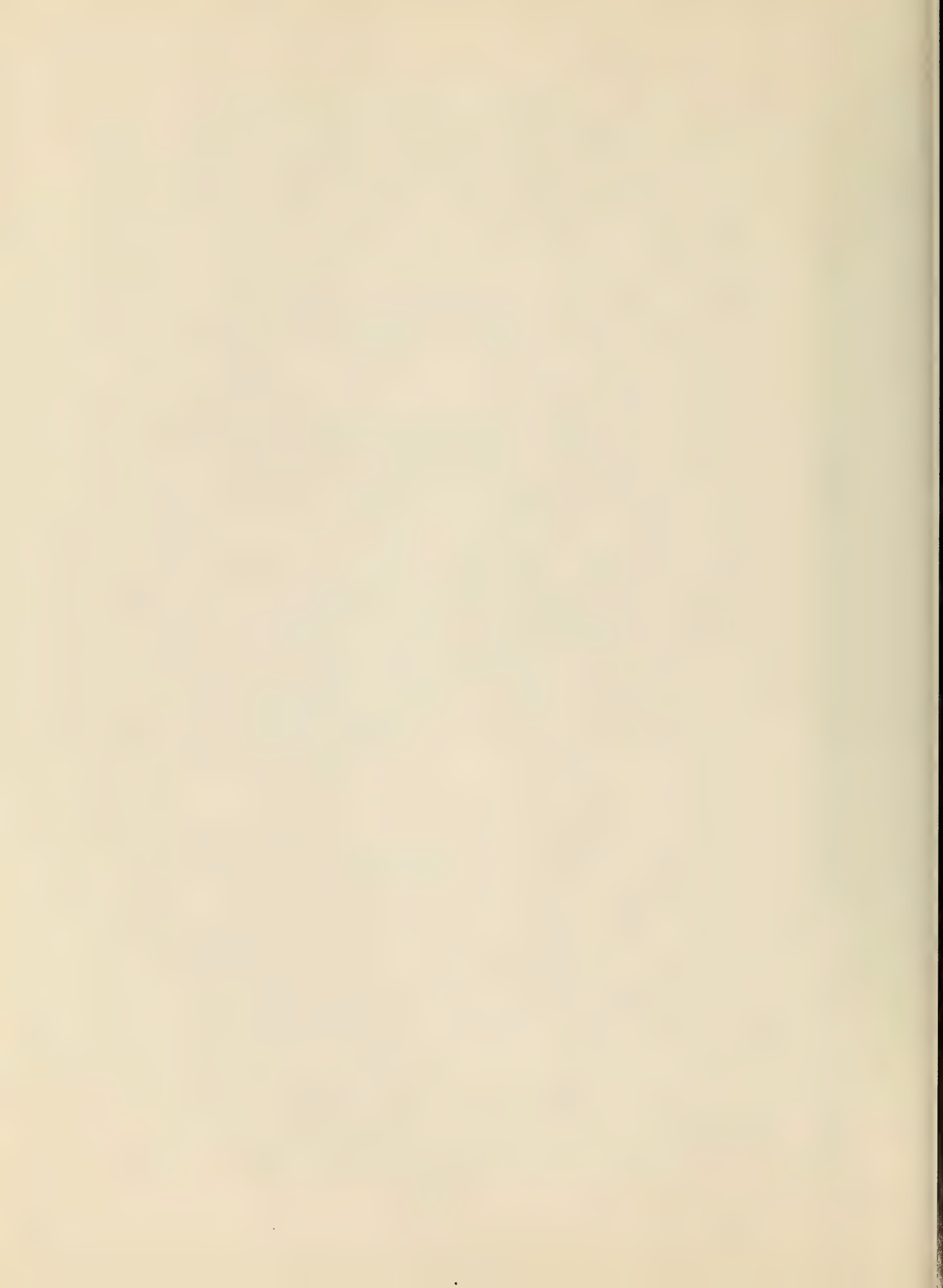
Exd
JFK

Washington July 7th 1831.

Sir,

It is with the utmost reluctance I trouble you with my personal concerns; but the necessity of the case I hope will plead my excuse. - I am employed at present as a Messenger in the Patent Office; - my duties are not only to perform the ordinary duties of a messenger; but I also copy all the letters: for which I receive 500 dollars per annum: - I have a numerous family of small children, and this sum is inadequate to their support.

Now, Sir, I beg leave most respectfully to represent that the messenger in each of the Executive Departments receives 700. dollars, per annum: with assistants. - My duties are as great as



themselves besides copying the letters.

Formerly, when there were not more than 100 or 200 patents issued in the year, the correspondence was trifling compared with what it is at present. - Within the last two years it has nearly doubled; for there are about 600 patents now issued yearly and there are frequently 15 or 20 letters to copy per day. What with my dictating my copy and copying I was employed nearly the whole day. -

The object of this letter is most respectfully to ask an additional compensation for copying letters: 100^{cents} was allowed several years ago, when the service to be performed was not more than one half that it is now. -

I am, with the most profound respect,

Your obedient & humble servant,

To the Hon. Edward Livingston,
Secretary of State of the United States.

Henry Bishop.

Enc. O. S. This letter has been submitted to the inspection of D. Craig.

J. H. R.

Patent Office, 11 July 1831.

Sir,

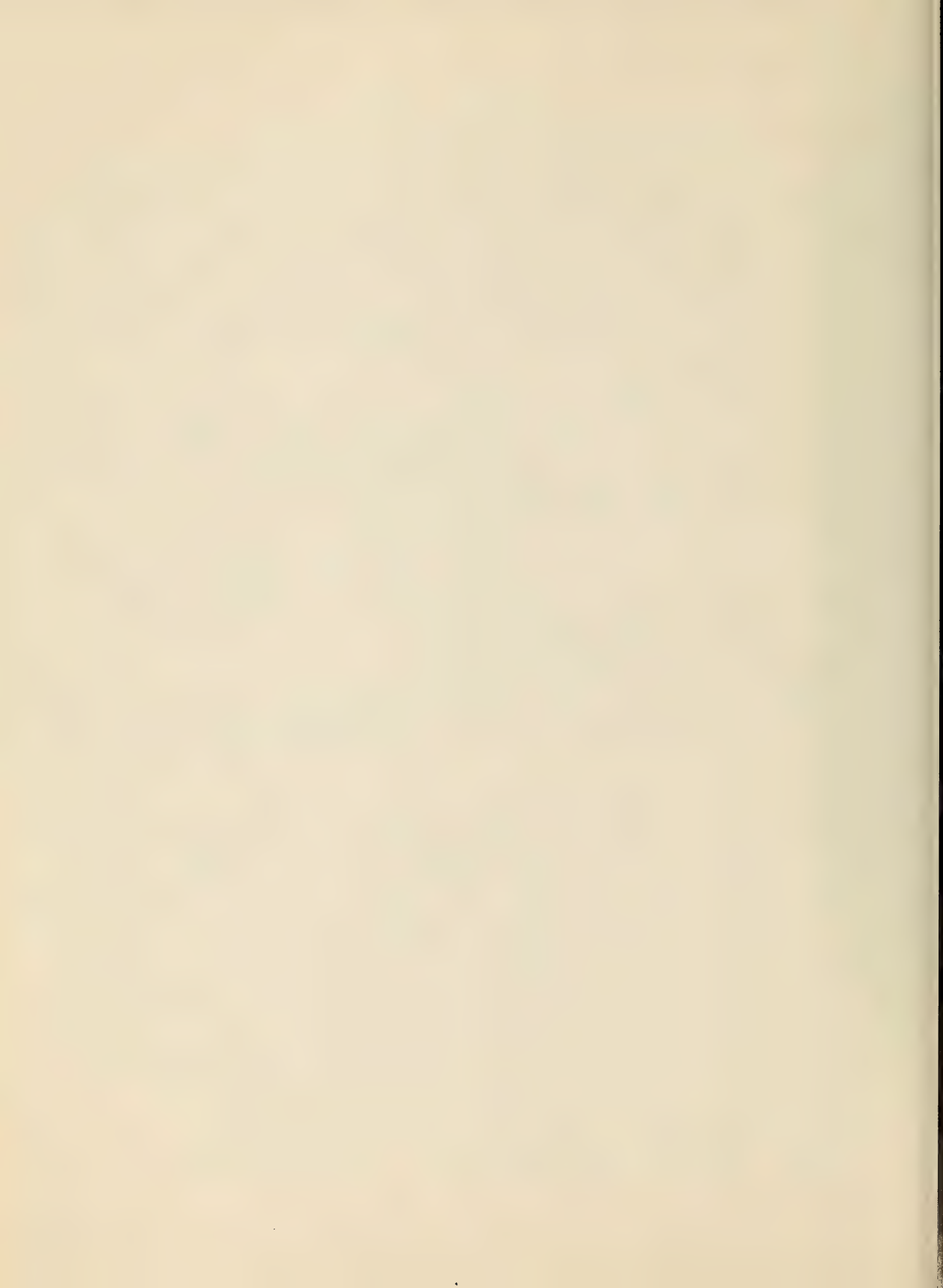
I understand that a man of the name of White, from Baltimore, has applied, or is about to apply, to you for a clerkship in this office. This man about three years ago, married a young lady with a large fortune, and in a short time spent the whole of it in dissipation, with abandoned associates. I hope a public office will not, during the present administration, be the reward of such conduct. I know it would be very unpopular in Baltimore, where he is detested; & have thought it my duty to acquaint you with the circumstances.

Very Respectfully

Hon. Edward Livingston
Secretary of State.

John D. Craig -

Enc. J. H. R.



Patent Office, March 12-1832.

Sir,

To accommodate the Recording Clarks with room in this Office, I find to be very embarrassing, and to suffer the work to be performed elsewhere, is a measure to which I cannot consent, and be responsible for its execution, or the safety of the papers. Perhaps the General Post Office could spare part of the room it now occupies. If not, the Patent Office cannot be long accommodated in the same building: for business, and the room it unavoidably requires, increase in a greater ratio than the population of the country.

With great respect,

Hon. Edmund Livingston,
Secretary of State.

Yours truly,

John D. Craig

Ed
JDC

Patent Office, May 17th 1832

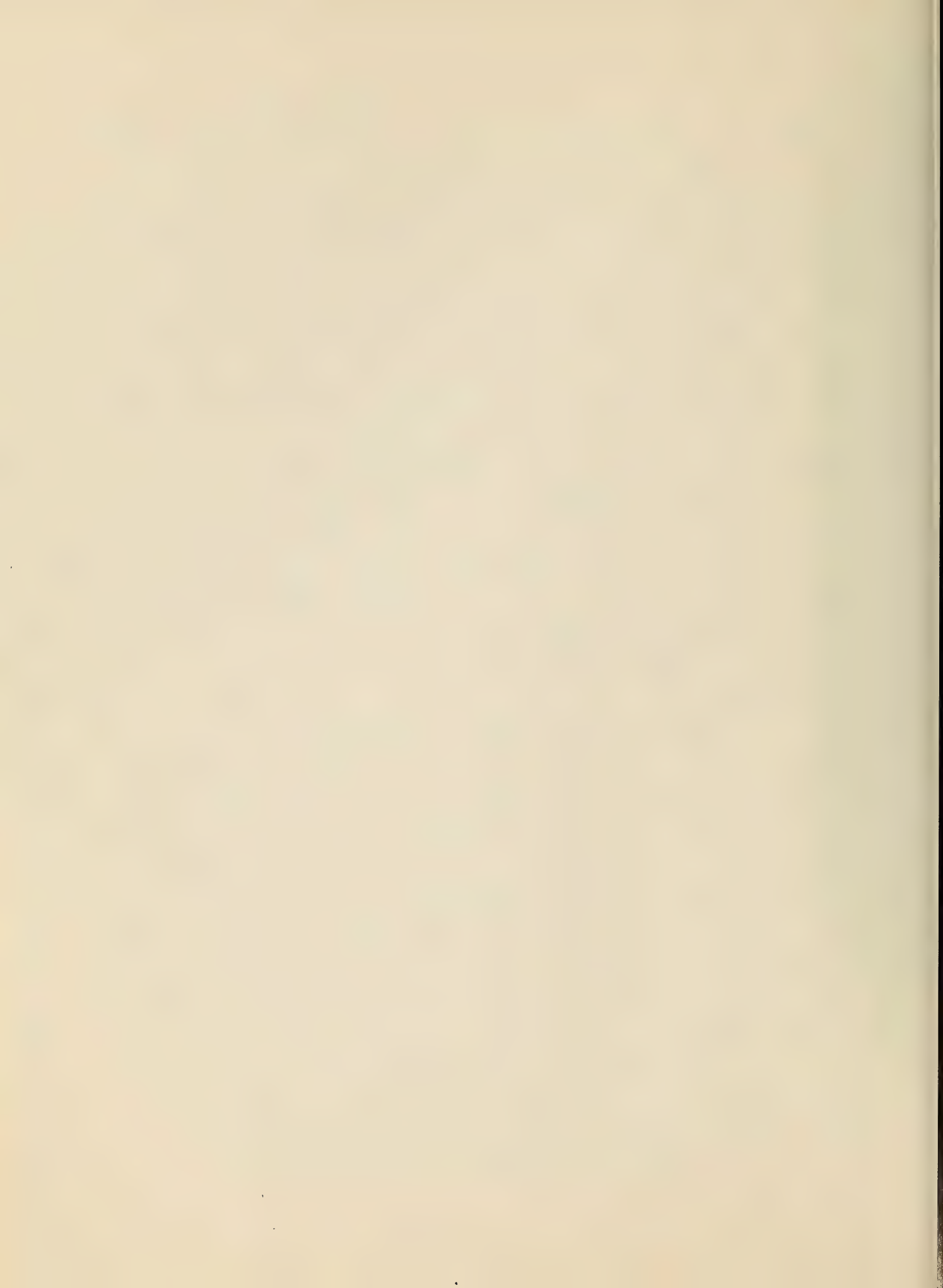
Hon. Edmund Livingston
Secy. of State

Sir,

With feelings of delicacy and diffidence, I commence this communication to you. A purity of intention is my best apology. A sterling friend of the Liberty we so eminently enjoy, who, to promote public good, does all in his power to enhance the best interests of our common Country, is sometimes called to make sacrifices, painful to his private feelings, producing wounds, that find a healing balm in the reflection of having done right. However painful it may be, a man of this cast obeys the calls of duty, with promptness and decision, and, if guided by prudence and discretion, renders himself useful in Community.

I have observed, with much pleasure, the untiring diligence of the present administration, to introduce "retrenchment and reform", into the various branches of the general government.

Correct System, in its simplest forms, should consti-



into the sub-stratum of all business, to produce favorable results.

The experiment is now being made in the office in which I am employed, which, if properly matured and judiciously arranged, will take a respectable stand in the list of reforms, and will, I am confident, be found the best method of keeping up the records, in all the public offices. If matured and adopted, the chaotic masses of unrecorded public papers would speedily be arranged, and all future records made in due time, at much less expense, than by salary clerks. Upon this subject permit me to suggest a few ideas.

No man should be appointed a recording clerk, who does not sustain an unsullied reputation for moral integrity. He should write a legible hand, be a good reader of manuscript, and possess those high feelings of honor and justice, that will induce him to make a correct and faithful record, without requiring the watchful eye of a scrutinizing supervisor.

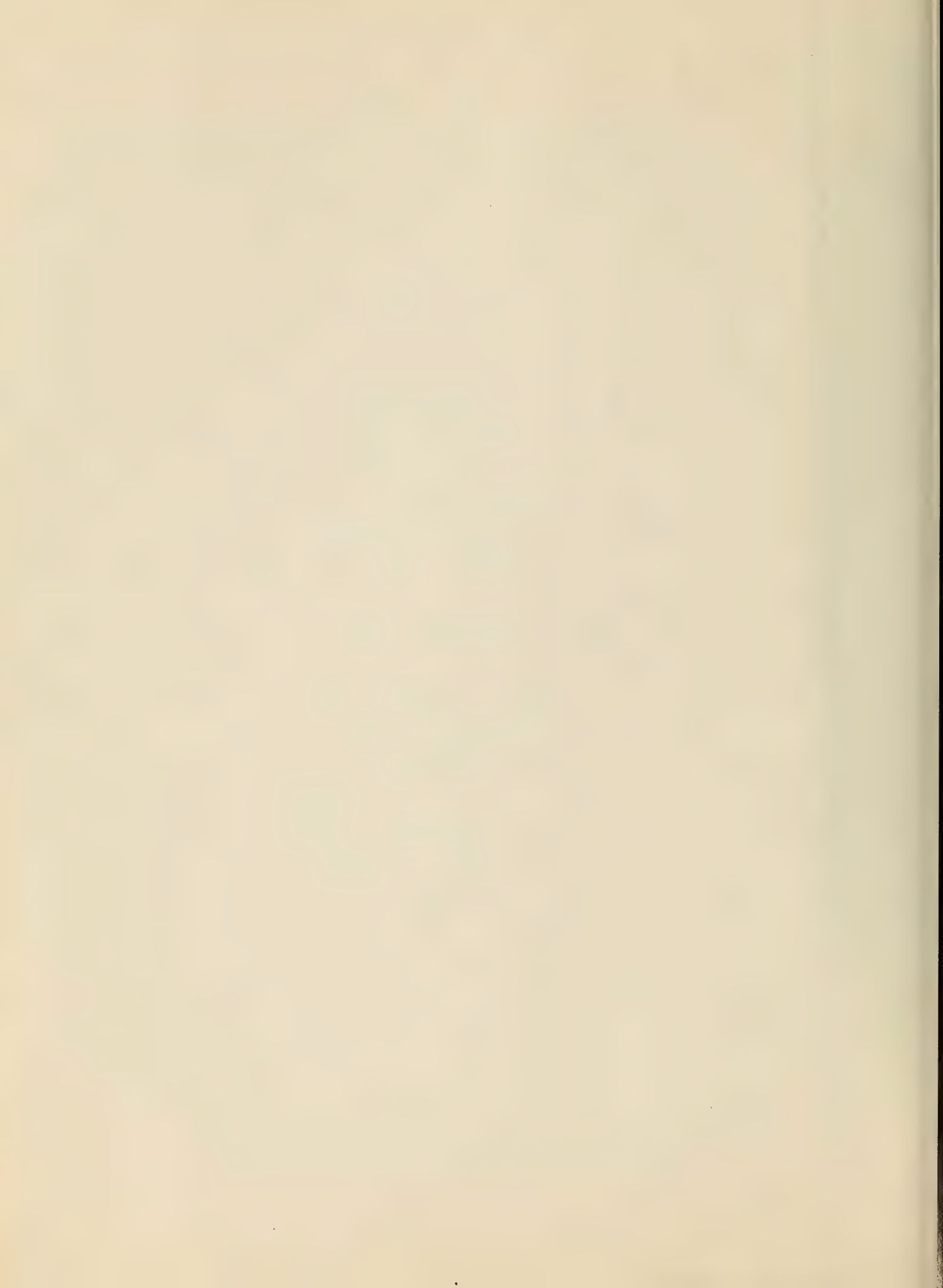
During the hours of writing, order and harmony should be preserved, and discussions upon various subjects entirely prohibited.

The reading to the supervisors, and their examinations, should be in a separate apartment.

The supervisors should be men whose deportment will command respect, whose intelligence will inspire confidence, and should see every error in the records faithfully corrected.

For the good of all parties concerned, the clerks should be compelled to write at least 4000 words per day, except absent by sickness, or on necessary business, by leave of the head of the department, in which case, the supervisor should receive his pay for writing 4000 words per day, and if the clerk is absent under any other circumstances, the amt. paid to the supervisor should be deducted from the amt. due said clerk, when he receives his next payment. By the present arrangement, the emolument of the supervisor is of a very uncertain tenure.

One supervisor can attend to 10 instead of 6, the present number.



assigned. I think \$5 for examining every 40,000 words, a sufficient compensation, instead of $\$8.33\frac{1}{3}$ the sum now paid, provided the Supervisor has the privilege of recording, should he have any leisure time.

If there are a large number of Clerks in one company, the most competent of the Supervisors should have delegated to him the powers of a Superintendent over that Company, to maintain the strict observance of such rules as are adopted by the head of the Department.

If these rules, and, during the experiment, such others as may be found expedient, can be adopted, I think self interest, the general feeling of human action, will dictate a cheerful compliance. I think they would prove salutary to individuals, and beneficial to the Department.

These suggestions are communicated, Sir, for your consideration, and should they contribute in the smallest degree, to the advancement of that wise system of "Retrenchment and Reform", so happily commenced, and whose successful, bold and fearless march, is onward, I shall be highly gratified.

With feelings of high respect, I have the honor to be, Sir,
Yours obt. Servt.

Levi Corroli Jackson

Note. If the Clerks were compelled to write 24,000 words per week, instead of being confined to 4,000 per day, justice might be awarded to the Supervisor, and the Clerks be better satisfied, for what is lost in one day, might be made up by extra industry, and the Supervisor, in the mean time, occupy his leisure moments at recording.

Respectfully &c.

Hon E. Livingston Secy. State.

L. C. Jackson

Ed

1872

Patent Office, June 1. 1873.

Sir,

Mr. Charles Balfinch spends much of his time absent from this office, and even while present, his performance



is very disproportionate to that of any other; or to the salary he receives, and some Clerks are not disposed to allow the Office more Clerks, it is respectfully submitted, whether the President, or Justice to others in the Office - and to the Government, do not require a more efficient person appointed in the room of Mr. Buffinck?

With great respect.

Hon. Edward Livingston

John D. Craig

Secretary of State.

Edw
JH

Dept. of State, Patent Office,

July 11th, 1833.

The undersigned Clerks in the Patent Office, in justice to the Superintendent, as well as themselves, state, that having a perfect knowledge of the duties performed by Mr. Buffinck, he has not averaged, more per day, than the writing of two sides of a record book each side containing 400 words, more or less.

In doing this they disclaim any exclusive feelings towards Mr. Buffinck.

Alex. McIntire

Samuel P. Walker

Edw
JH

Washington, 26th Jan. 1833.

The Hon. Edward Livingston

Secretary of State,

Sir,

I have the honor to enclose to you a letter written by Dr. Forsythe, at this time, a clerk in the Post Office, but formerly in the Patent Office, respecting Mr. Buffinck. He has good opportunities of judging of his character and fidelity, and in this letter he has certified to both. If every Clerk in the



office were consistent. I have seen the report of each reform. This subject, would be their source. Mr. B. is a remarkably upright, industrious, and conscientious young man, and it is utterly inevitable with all the principles that govern human action, that he who with singular scrupulousness, performs all his duties in private life, should be regardless of the duties that devolve upon him in a public station. All charges of that nature, I know to be untrue, and I fortify my assertion by the testimony of Dr. Jones and Dr. Temple, and may very safely refer to all who have had the like opportunities of observation, except one man. And I beg leave respectfully to submit it, to your sense of justice, whether he ought to be made a sacrifice to the personal prejudice of that one man.

Much more I might say, but I will refrain, trusting confidently that you will not allow the unfounded representations of Mr. Craig to sow in your mind, the prejudices with which his own has been filled, against a faithful fellow Clerk.

I am Most Respectfully, Sir, Your Obedt.

D. A. Hall.

End
J.H.K.

Washington City

January 26, 1833.

Hon. Edward Livingston,
Secretary of State.

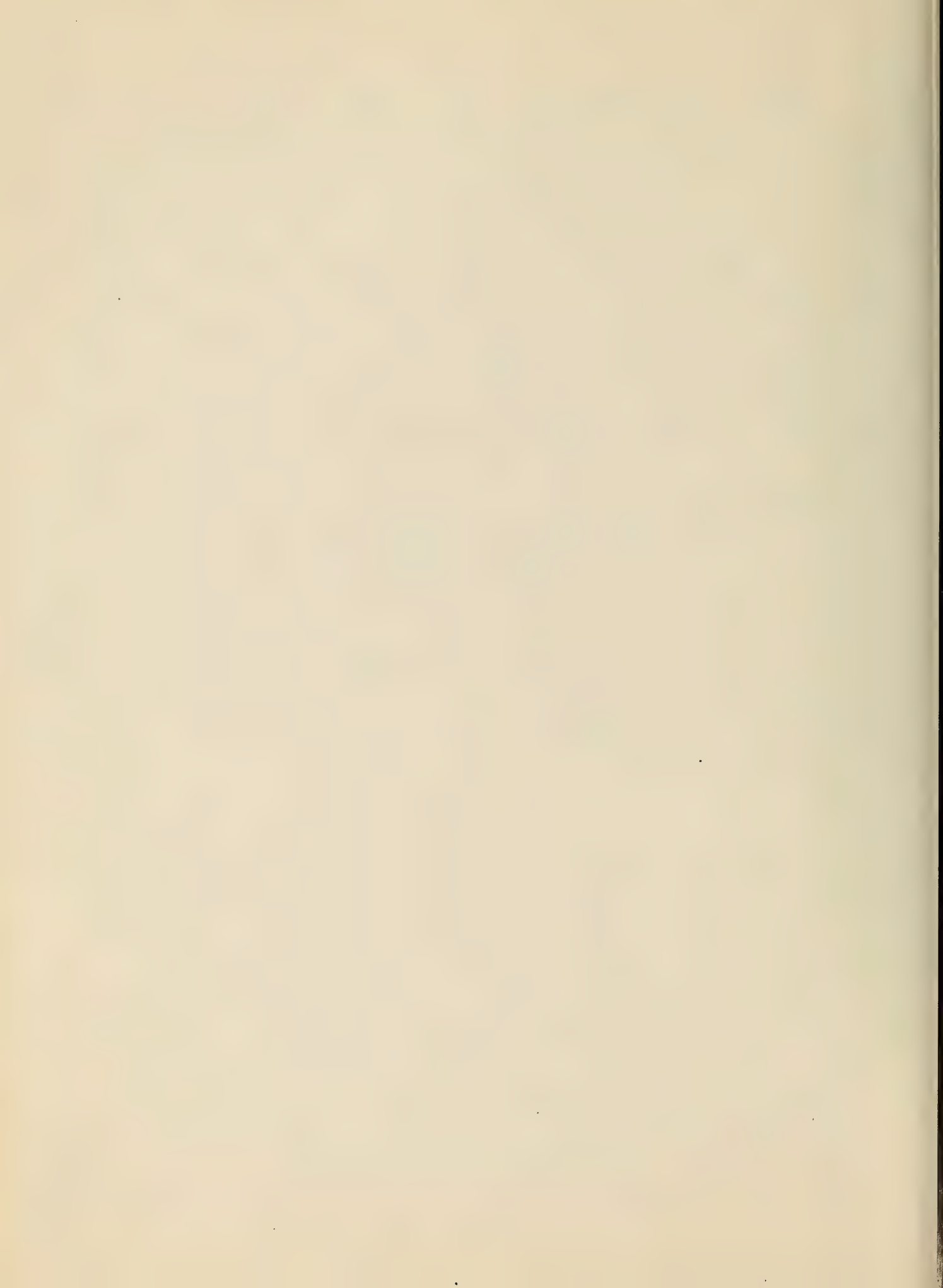
Sir,

Having heard that Mr. Bullfinch is desirous of changing his situation as Clerk in the Patent Office, for a similar situation (if Clerk) in some other Office, it affords me much pleasure to testify to his excellence as a man, & to his faithful and conscientious discharge of his duty as a Clerk. Having been a Clerk in that Office, in the same room with Mr. Bullfinch, I am enabled to speak from personal observation.

I conceive it my duty to state further, that while I remained in the Patent Office, I had frequent occasion to witness on the part of the Superintendent, a deportment towards Mr. Bullfinch, which to me appeared the result of the strongest prejudices.

With the highest respect, I am Obedt. Servant. John D. Temple.

End
J.H.K.



Dept. of State Patent Office
June 24th 1833.

Hon. Louis McLane
Secretary of State.

Sir,

I deem it my duty to inform you, that Mr. Charles Bulfinch, a Clerk in this Office, at a salary of eight hundred dollars per annum is incapable of performing the duties assigned to him.

For derelictions of duty, he has long since been admonished, without its having produced a state of things more satisfactory. It is his misfortune to be physically unable to perform the ordinary duties of a Clerk; his eye sight is bad, and his bodily health such, (from disease either real or imaginary) as to incapacitate him for business.

From the 3rd of March 1829, up to the first of this month, excepting four months, which I consider a liberal estimate for the time he was employed, when a press of current business required his aid in writing out Patents, he has recorded 707 Patents, containing 672,209 words, which at 12 $\frac{1}{2}$ cents per hundred words, (the rate fixed by Congress for recording Patents) is equal to \$840 $\frac{3}{4}$ as the foregoing statement of all the recording done by him will show; it therefore does appear, that during the period of four years, less one month, his services were worth to the government a little more than two hundred dollars per annum.

In conclusion I will add, that if an official Clerk be appointed in his stead, the recording of all assignments and copies of Patents, for legal & other purposes, can be done by any other Clerk, and the fees received therefor be paid into the Treasury as the law requires, which of itself will save to the government six hundred dollars, or more, per annum.

All which is respectfully submitted for your consideration.

I have the honor to be Sir, your obedient servant.

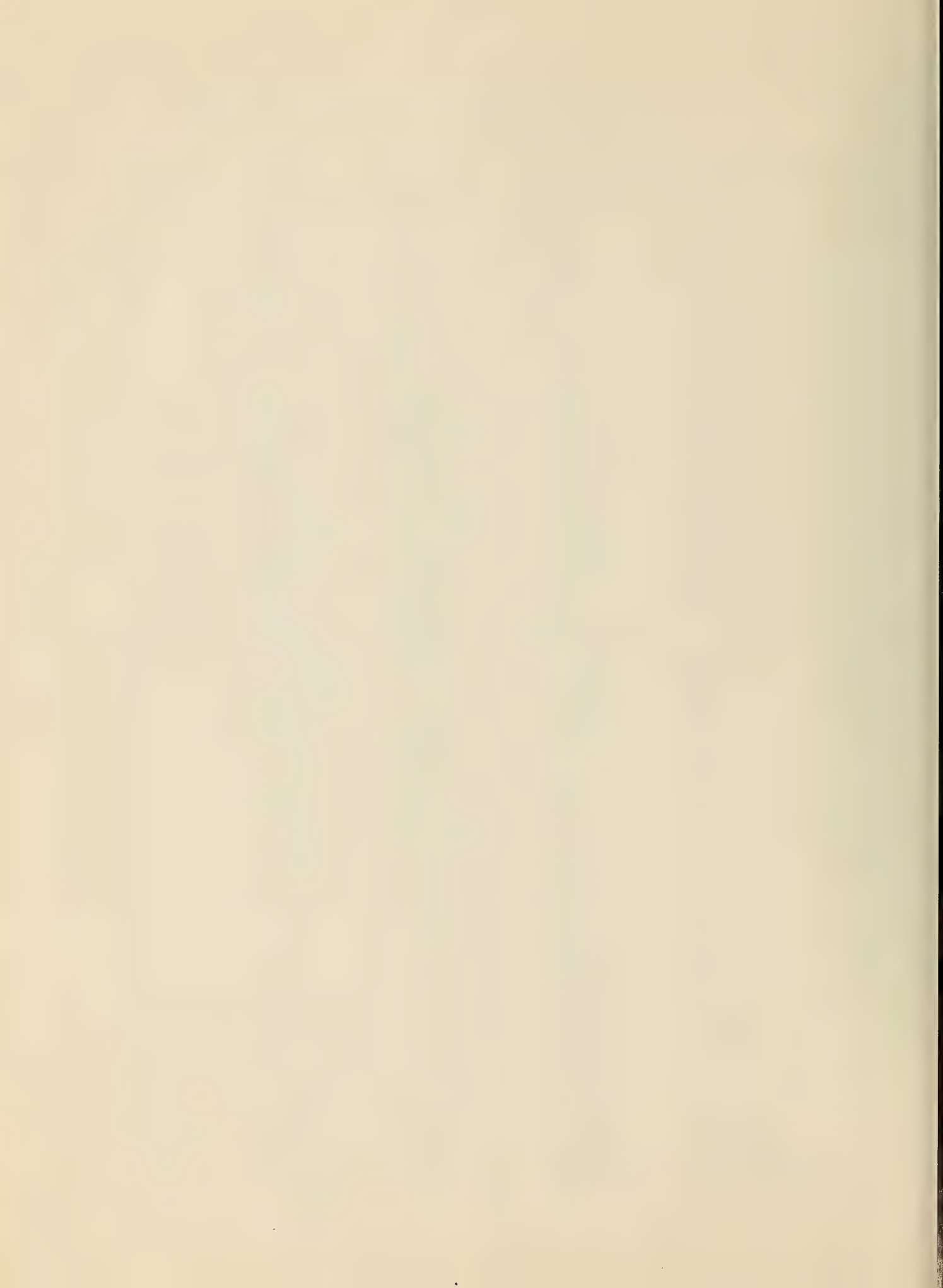
John D. Waing

Edw
J. R.

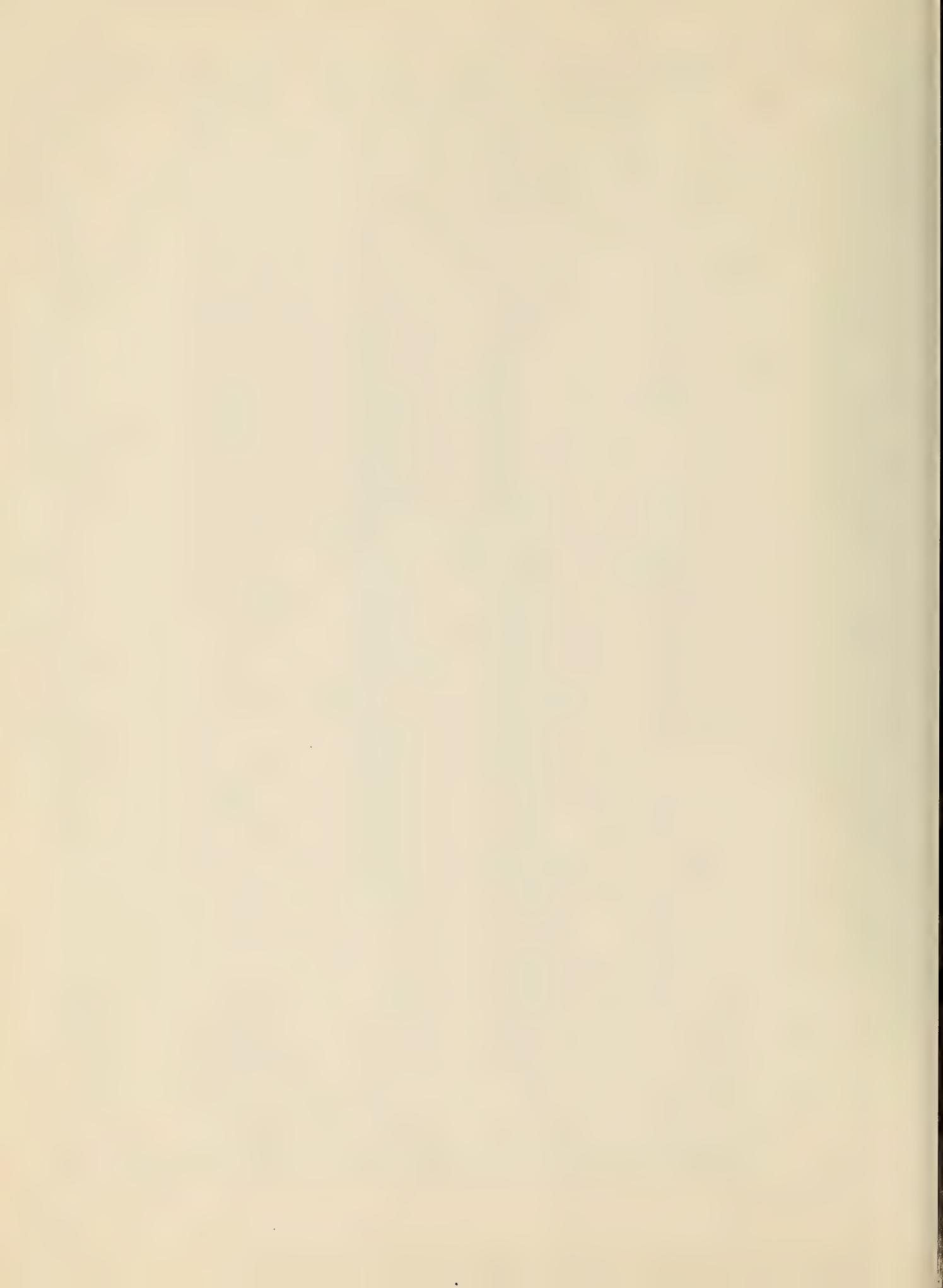


Plants recorded by Walter Duffield from June 3rd 1829.
to June 15th 1830.

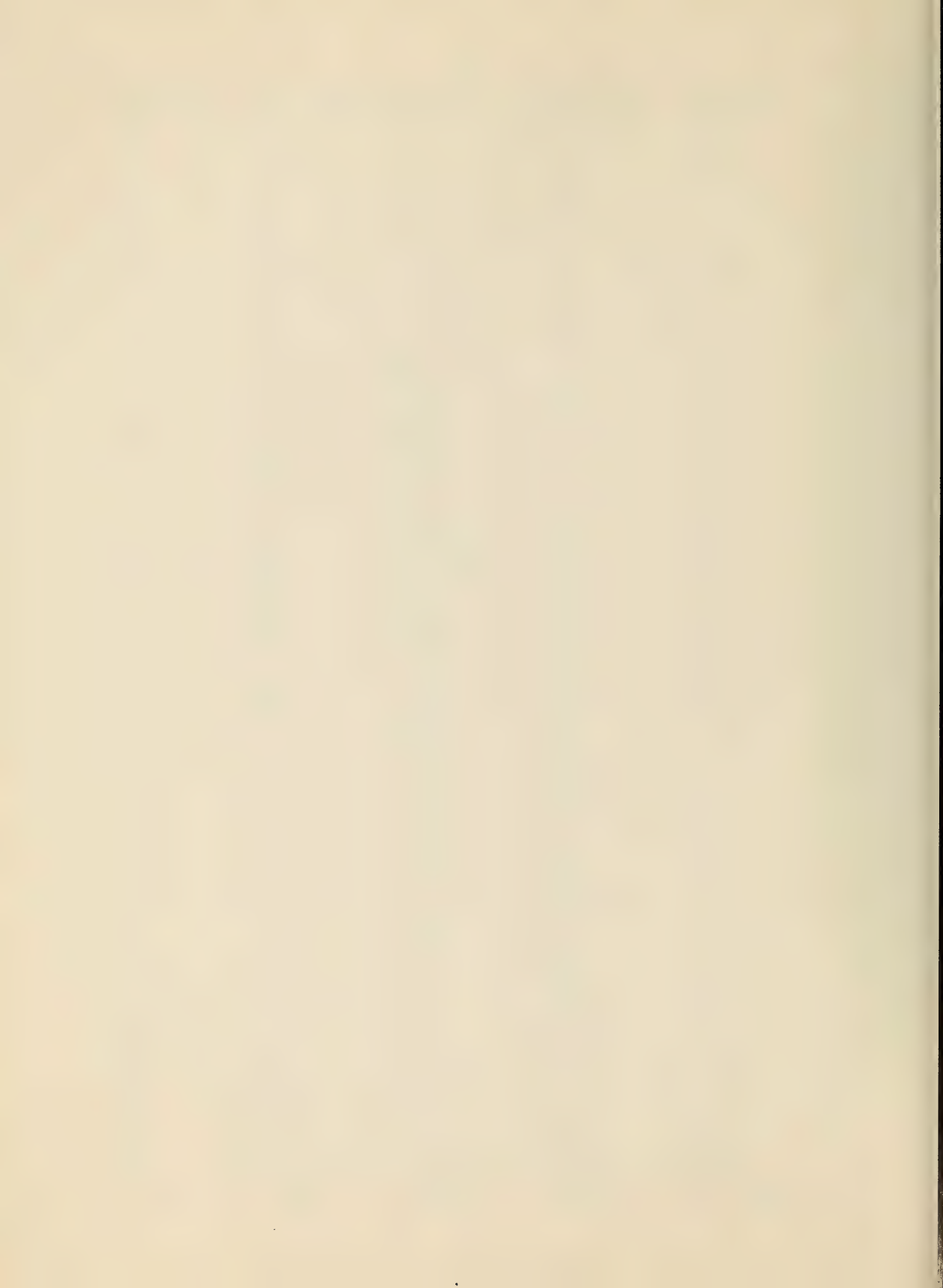
Hours	Woods	Hours	Woods	Hours
491	33.490	63.124	88.184	114.769
361	660	500	1.560	195
1.090	370	640	420	567
500	630	665	750	610
810	780	680	1.510	530
210	150	520	360	150
250	310	2.375	330	1.120
600	900	1.130	3.406	600
3.237	1.596	625	442	415
300	120	1.130	363	685
900	1.716	440	385	1.300
1.833	209	510	552	1.100
1.232	429	585	975	400
595	1.070	830	1.170	430
374	1.250	430	403	460
156	730	540	369	250
350	530	360	1.380	831
650	820	140	2.080	900
150	494	1.855	1.312	736
250	2.644	1.170	288	936
290	2.957	460	1.060	1.635
4.110	468	920	355	637
1.216	540	815	330	1.530
170	1.440	2.160	960	340
920	320	610	840	755
450	945	540	610	990
310	1.256	470	348	630
720	455	360	610	1.034
515	1.550	450	368	610
1.300	400	750	1.156	1.055
670	1.807	610	963	790
7.270	1.220	1.490	400	1.280
1.180	524	700	430	230
33.490	63.124	88.184	114.769	138.544



Words	Words	Words	Words	Words
155.546	177.061	209.942	244.113	278.354
1.150	260	374	270	994
750	375	702	280	1.110
1.570	1.695	1.015	1.160	550
730	872	182	450	400
930	645	940	430	1.394
6.510	870	817	340	1.060
540	872	1.471	1.629	530
840	690	1.100	684	870
576	570	1.015	559	442
335	460	1.340	676	1.107
520	750	900	348	3.140
430	860	1.210	550	3.350
650	340	730	1.195	665
1.290	1.235	350	533	325
2.680	455	390	1.055	1.460
870	940	1.150	450	286
470	470	240	780	4.207
810	2.175	330	1.186	5.430
690	200	160	430	1.915
90	1.070	360	3.990	2.295
660	590	330	720	1.500
910	975	640	300	380
2.650	2.763	275	340	1.706
940	859	1.580	550	625
300	955	880	410	390
230	1.300	3.630	540	1.060
380	2.920	120	492	510
610	760	580	4.025	1.480
930	585	900	1.900	1.560
300	447	590	1.468	1.630
3.636	880	290	1.094	570
1.220	945	1.470	782	1.570
700	645	1.990	644	1.520
780	1.011	420	1.718	1.850
450	729	1.290	1.510	480
810	683	2.410	755	240
177.061	209.942	244.113	278.354	327.955



327.455	379.591	426.414	453.582	453.556
490	1.720	600	756	1.089
220	470	116	381	525
1.530	820	1.250	287	736
1.355	1.650	510	762	1449
2.240	560	1.920	2.196	1.600
760	270	1.200	248	1.582
330	220	1.130	403	427
12.860	200	420	1.126	337
210	910	670	783	330
2.040	1.550	590	444	662
1.580	220	210	1.277	777
580	1.840	560	1.036	374
750	1.010	2.400	480	3.005
670	680	650	624	1.000
270	2.000	480	744	1.504
1.747	636	500	450	400
2.230	520	860	341	1.045
3.090	616	830	516	800
3.060	1.980	430	500	1.324
680	1.470	430	1.065	1.512
600	1.350	560	290	228
750	264	2.680	1.000	558
300	4.820	200	1.254	1.044
1.679	657	590	431	916
312	387	700	1.128	104
300	335	520	660	1.896
210	6.667	690	1.068	540
336	2.950	970	540	881
3.926	2.890	610	684	798
900	374	910	1.583	960
2.541	310	1.206	336	1.729
350	1.720	650	2.040	600
890	453	1.152	1.464	280
640	740	750	205	356
750	612	320	331	204
900	2.650	624	241	734
379.891	426.414	453.582	453.356	515.463



515.465	553.054	575.150	606.002	636.764
523	209	1.692	550	330
504	234	280	1.212	1.025
5.335	308	972	374	2.145
3.534	200	1.352	1.104	535
793	610	734	1.008	865
481	768	744	1.528	740
2.769	430	1.008	1.024	570
1.456	231	691	350	285
854	450	521	590	1.130
448	429	418	585	770
276	588	876	2.008	815
3.598	2.244	642	1.126	860
204	627	282	490	540
240	1.188	2.807	300	435
1.105	726	697	294	360
414	120	742	530	3.150
453	560	1.188	1.594	630
678	144	742	920	640
760	156	486	1.130	1.270
154	799	470	536	450
228	600	814	280	2.245
316	1.078	176	560	800
242	283	913	330	1.190
434	945	936	735	1.170
800	550	770	2.600	310
889	506	3.017	860	1.520
803	572	777	1.080	496
2.102	768	154	2.708	1.300
374	816	600	590	240
666	722	888	440	1.240
385	1.000	636	580	400
514	744	231	396	810
1.025	550	1.226	925	315
1.112	924	864	700	965
561	206	418	285	296
2.256	231	1.068	410	1.320
553.054	575.150	606.002	636.764	667.124



Words

669. 1211

270

310

290

405

1.300

510

672. 209 Words at 12 1/2 cents per hundred words, and
comprising 707 Patents.

\$840.26

Approved.

June 22, 1833.

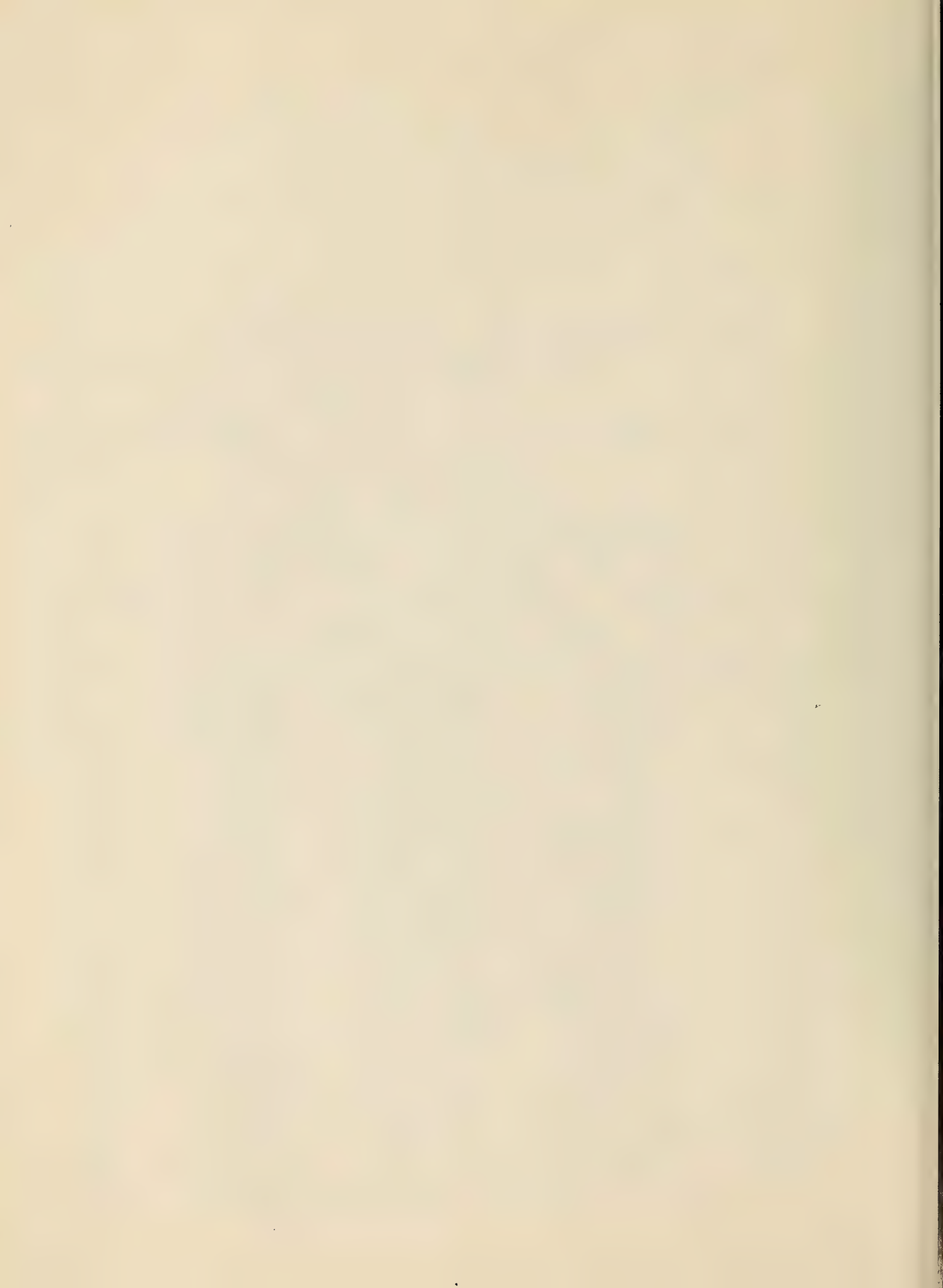
John D. Craig Esq
J.D.C.

Statement A.

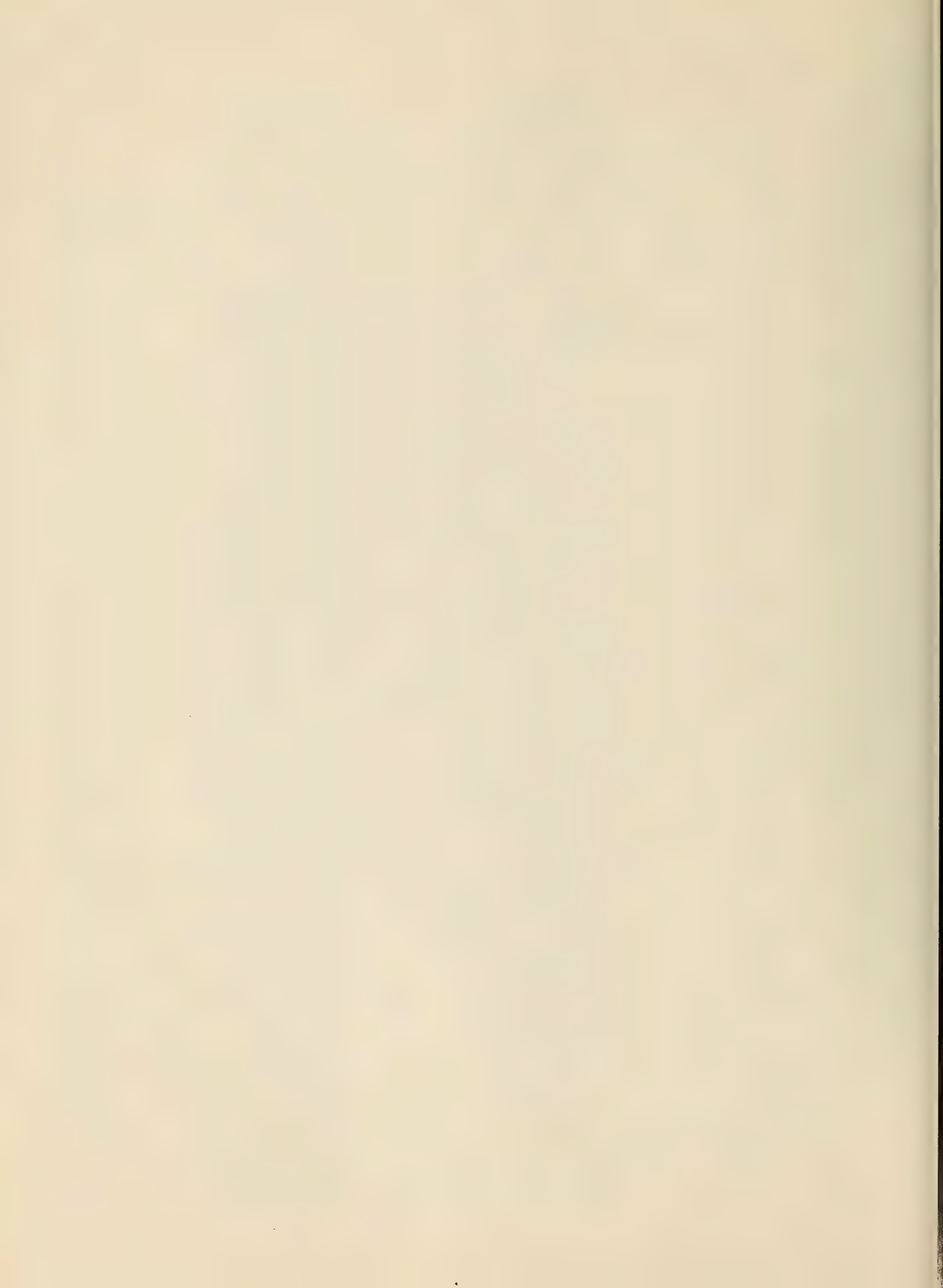
of all the Patents Recorded by Chas. Burleigh Jr.
from Aug. 15, 1829, to June 11th. 1833; the names
&c. taken by an assistant Clerk from the Record Books.

Vol. 2. C. - From Jan'y 2 to June 11, 1829.

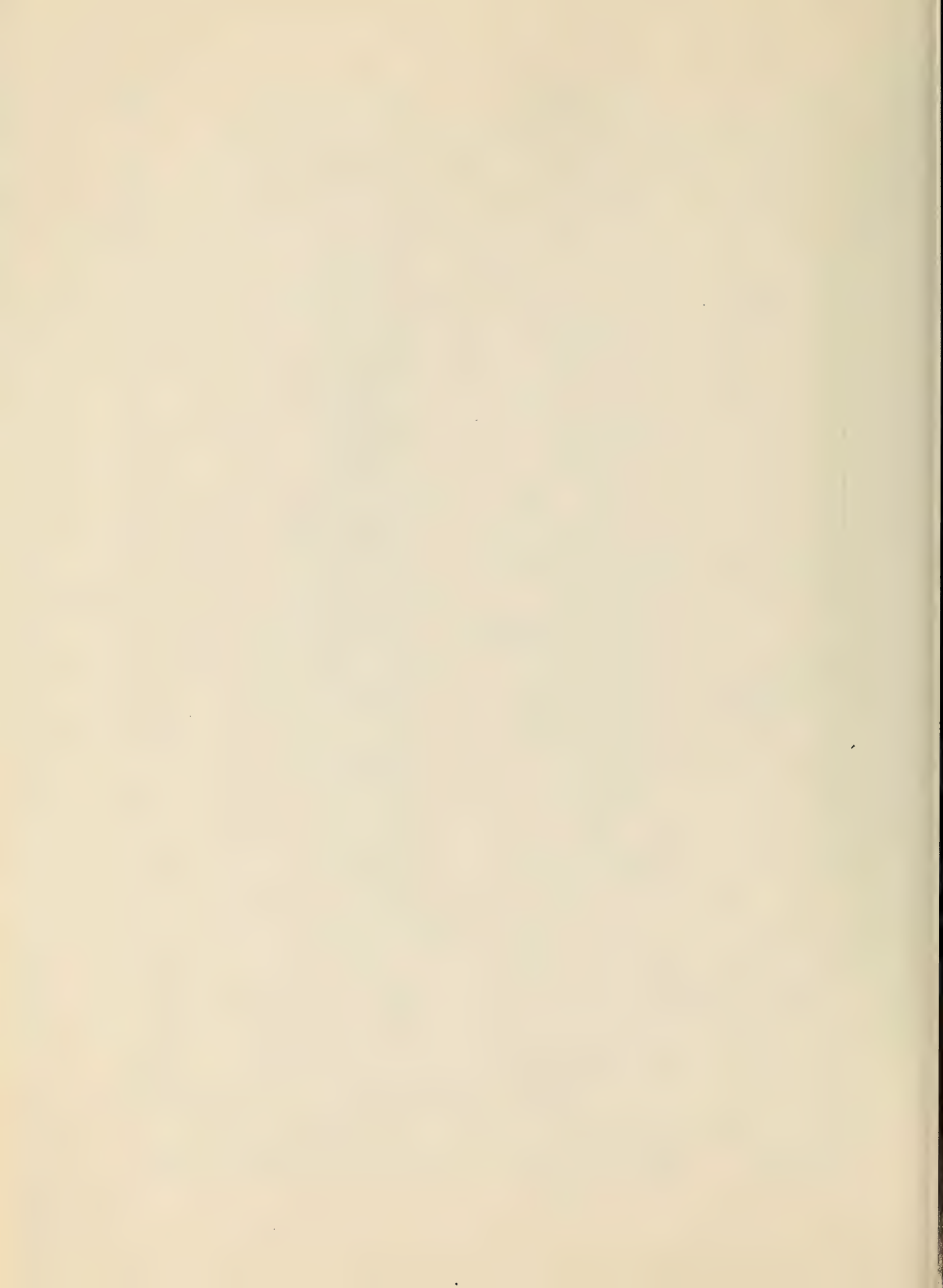
John Barney	264	Bennett	1.232	Jennings	872	Parker	447
Barryhill,	990	Badger	963	Dr. Hyer	320	Blackson	550
Alsher	4.820	Salter	1.718	Robinson	1.312	Small	870
Wood	2.311	Shore	1.070	Wood	374	Colt & Johnson	430
Leonel	1.635	Emmons	1.250	Cushman,	1.394	Parson	442
Lambert	429	Kearse	1.535	Scott	1.195	Reed	1.471
Gordon	695	Goodrich	1.510	Pittinos	817	Rice	1.107
Houghton	657	37	42.006	Jennary	553	Taylor	1.720
Debit	348	Goodrich 2d.	755	Reed	494	Leke	320
Bakerwell	1.011	Adgeyway	374	Johnston	890	Drafer	750
Demarest	491	Pardes	361	Williams	156	Smitholman	870
Larcom	387	Cooper	702	Harrington	2.446	Reed	945
Harris	1.468	Taylor	1.015	Heilbrunn	3.763	Curryington	1.200
Shorpe	1.094	Longmcker	182	Harrington	2.957	Chilips	435
At Kiel	468	Fitch	730	Seipin	37	Tomlinson	3.140
Baker	637	Williamson	994	Goodfoun?	74	Rogers	450
Osborn	550	Alanning	6.667	Goodfoun?	74	Holloway	780
Smith	1.807	Sanford	350	Goodfoun?	74	Burgin	340
Rodgers	729	Woolie	595	Goodfoun?	74	Patner	3.350
Bury	900	Goodding	2.950	Goodfoun?	74	Gilbert	755
Stevator	1.833	Small	2.890	Goodfoun?	74	Kavenel	1.186
Perry	1.380	Evans	1.110	Jennings	650	Shorpe	665
Cushman	1.220	Emery	550	Crane	540	Odione	935
Lennox	924	Frery	400	Robett	1.990	III	126,284
Niles	782	Willcox	530	Knighl	1.640	Chilips	455
Beckwith	683	Blane	400	Wye	1.220	Burcock	325
Parkins	1.156	Harnt	780	Bliss	1.060	Jacks	350
Ely Jno. E.	2.080	Cummings	374	Lowly	645	Williamson	1.503
Ely Elisha	335	Coake	940	Shorpe	750	Woodhull	1.450
Stirling	644	Strong	335	Norris	859	Chow	940



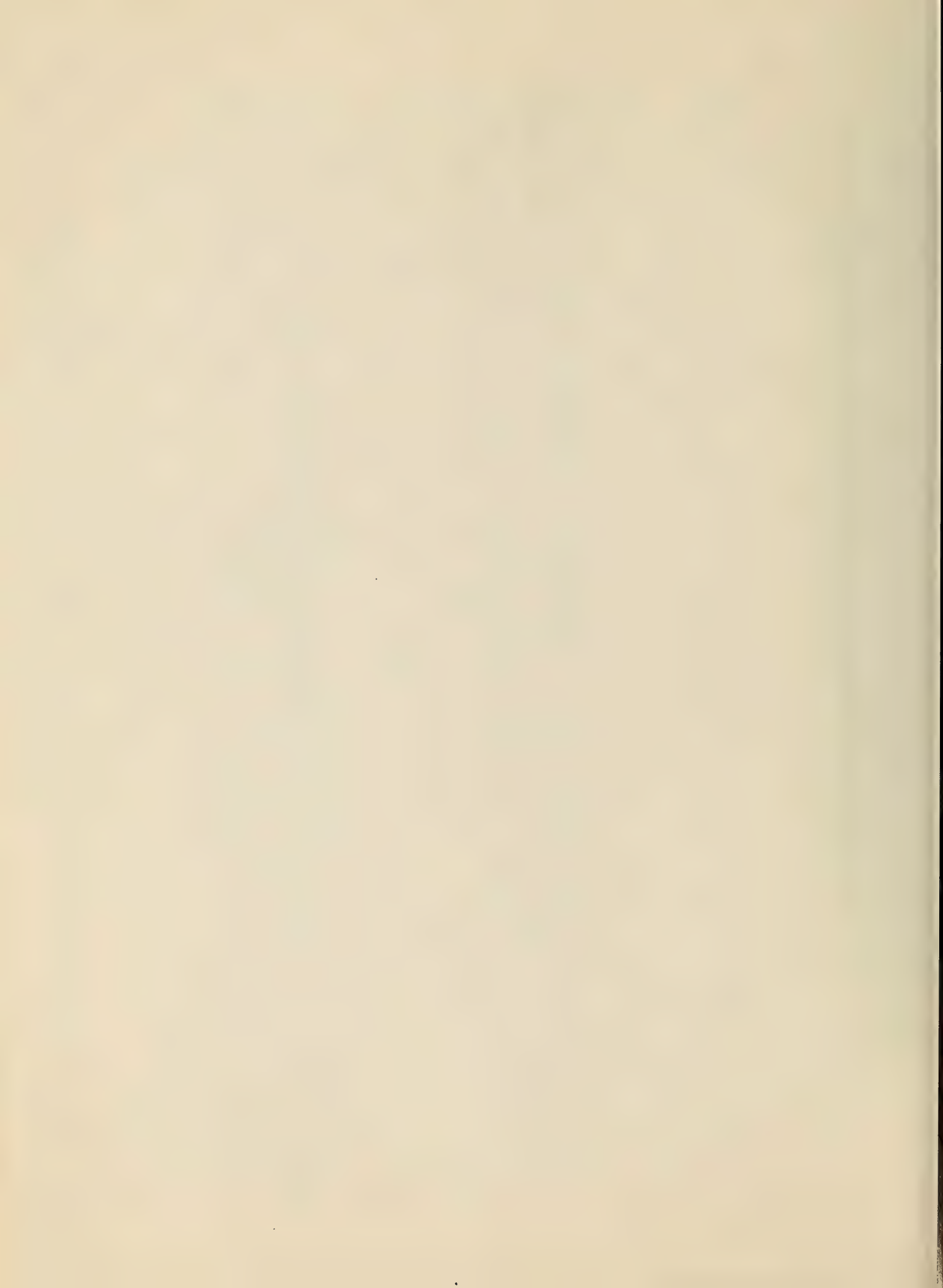
Brown	286	Tuder	1.510	Foggs	1.130
Colburn	1.100	Prince	870	Wicks	390
Bryant	4.207	Arvill	1.054	Prede	4140
Booms	400	Stone	872	185	198.869
Cham	455	Johnson	2.650	Lee & Stewart	1.060
Alley	580	Risley	380	Houghtaling	650
Gay	5.430	Burns	1.980	Capwell	150
Swan	1.015	Morris	520	Wilder	1.920
Boydton	500	McColler	600	Tanshaw	250
Post	990	Fleming	2.375	Leonard	1.150
Tiffin	1.915	Smith	730	Hills	340
Reynolds	1.300	Shankland	1.130	Naylor	1.480
Davis	470	Byington	195	Medley	810
Brushnell	640	Rogers	610	Attendorf	240
Salisbury	520	Shaw	1.055	Massey	290
Lapham	430	Johnson	1.706	Mistrom	330
Salisbury	650	Reed	416	Hunt	820
Roast	1.340	Allen & Darnell	625	Gardiner	510
Night	430	Corn	625	Howard	1.200
Brewster	3.295	Cutler	390	Rhodes	160
Howe	2.175	Jennings	507	Brown	1.560
Shaw	665	Knight	3.990	Melzer	550
Swanson	900	Davis	1.250	Water	4.110
Pond	900	Jennings	690	204	216.449
Boydton	740	Boatwright	350	Vol. 2. D. from home	
Hickson	1.290	James	260	11th Nov. 23. 1829.	
Bliss	680	Night	720	St. Pharam	1.216
M. Clentie	1.720	Swift	300	Dow	585
Emmons	1.210	Goldson	510	Rogers	170
Kinds	612	Skinner	810	Howe	920
Cahoon	2.680	Truller	470	Sanborn	830
148	164.809	Conant	810	Brown	430
Nichols	680	Clark	470	Pike	540



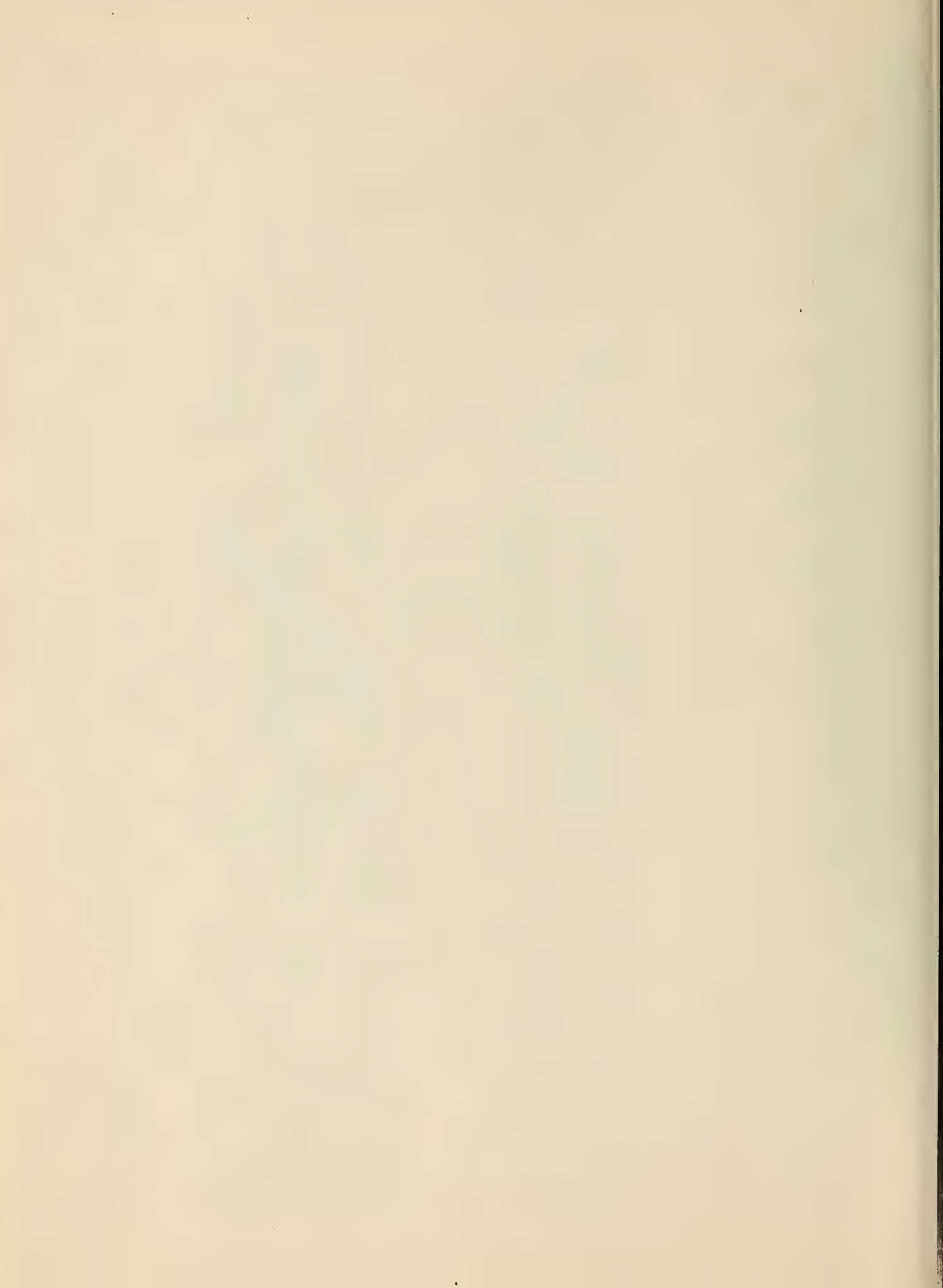
Reynolds	480	Fowler	1.121	Carlier	240
Clark	310	Madison	590	Hurman	200
Thorp	1.630	Bryon	1.650	Henricks	610
Merritt	570	Pratt	210	Richards	510
Morton	610	Angel	1.580	Romage	685
Cutson	1.130	Lounsbury &c.	920	Hilson	300
Phillips	200	Arnold	1.175	Parkard	490
Van Hoesen	690	Bridgman	560	Torrey	670
Bromwell	730	Mount	1.520	Beit	220
Marshal	515	Bennett	1.850	Powers	230
Schermukhorn	570	Reynolds	480	Hart	210
Murray	360	Jarves	460	Payne	815
Pennell	420	Embairing	2.450	Allen	760
Hells	260	Ruggles	880	Bowman	860
Raymond	1.855	Darnett	880	Allen	1.530
Coffin	1.300	Bent	3.630	Green	375
Peck	1.170	Brettingham	600	Abernathy	1.300
Meeston	140	Gold	2.920	Madison	1.150
Batholomew	670	Emmons	560	Hilburn	910
Van Hoesen	530	Mead &c	650	Stewart	7.270
Mesley	1.070	Jackson	120	Hoifman	1.110
White	150	Lazell &c	480	Wood	355
Smith	1.570	White	270	Davison	1.355
Bronson	460	Blickeslee	415	Stith	2.160
Do	410	Adams	540	McCune	830
Frederick	90	Salisbury &c	2.680	Bakerwell	1.180
Francois	330	Pennington	220	Wickhamshorn	780
238	229.460	Seldon	1.060	Barker &c	115
Burnum	660	Malcolm	740	Booth &c	520
Lee	790	Parkinson	1.280	Richards	2.240
Chubb	910	273	275.175	Woodson	660
Williamson	640	Tibbitts	640	Brandt	7.670
Boynton	275	Arnold	500	Tilden	230
				208	289.300



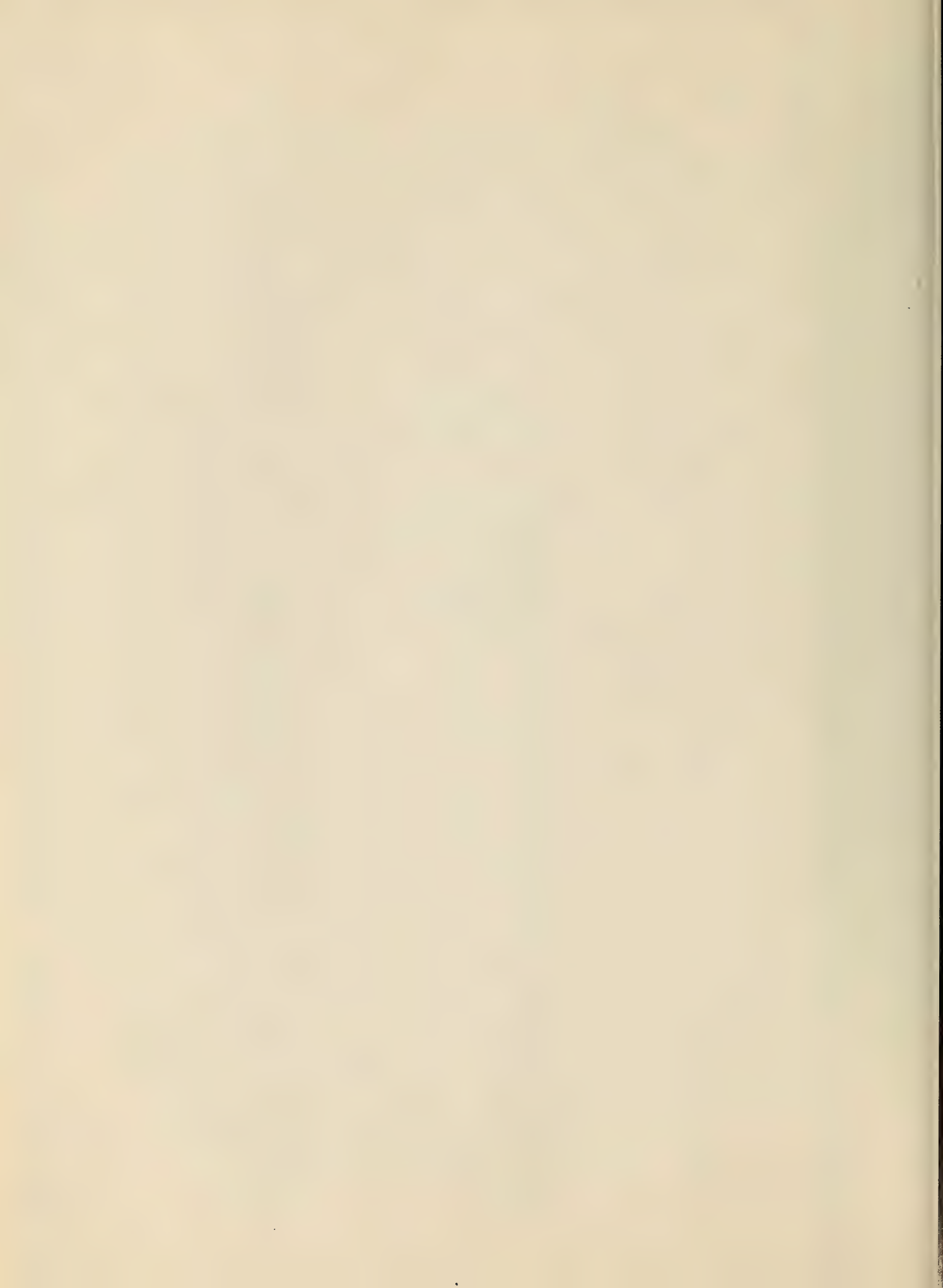
308							
Sester	766	Lillibridge	210	Reeder		590	
Cherry	430	Gilliarn	610	Pelt		450	
Wood	1.550	343	348.305	Buchenburger		420	
Folger	1.870	Turner	960	Ransom		750	
Stocking	430	Croftall	780	Hard		1.510	
Knight	610	Aldison &	2.040	Jordan		360	
Jennings	860	Phelps	150	Battle		1.747	
Sheller	250	Barnes	1.580	380		381.252.	
Eumans	900	Vaingy	580	Hurd		2.230	
Bornmeister	1.695	Gibbs	200	do		900	
Do	590	Halderman	580	do		830	
Smith	330	Horton	750	do		945	
Mullace	540	Morris	1.290	Ondoff		3.090	
Cleat	470	Chapin	670	Blydenburgh		680	
Brown	290	Toompst	460	Wood		3.060	
Espey	560	Baldwin	930	Bothwell		320	
Nier	360	Morrison &c.	1.090	Doolittle		610	
Thomas	380	Sizer	300	Husband		700	
Hern	430	Hayward	840	Jones		680	
White &c	1.350	Patterson	340	Berry		520	
Hilleas	1.470	Burrill	700	Folger		6.510	
Lane	1.990	Parker &c	4.410	Wright-		690	
Robinson	610	Stone	1.840	Tricker &c		600	
Ryder &c	370	Ely	270	Hale		750	
Burton	220	Shively &c	590	Pope		600	
Junies	750	Reeder &c	270	Thines &c		970	
Thomas	630	Miller	280	Smith		430	
Orindle	450	M.Cumber	1.560	Davis &c		300	
M.Cumber	12.860	Finlay	250	Van Kleeck		240	
Mosher	2.680	Gifford	1.160	Brainard		610	
Mitchell	420	Hull	1.010	402		407.627	
M.Guth	330	Vinton	930	Vol. 2. E. from November			
Sperry	750	Burdick	310	22 ^d . Decr. 31. 1829			



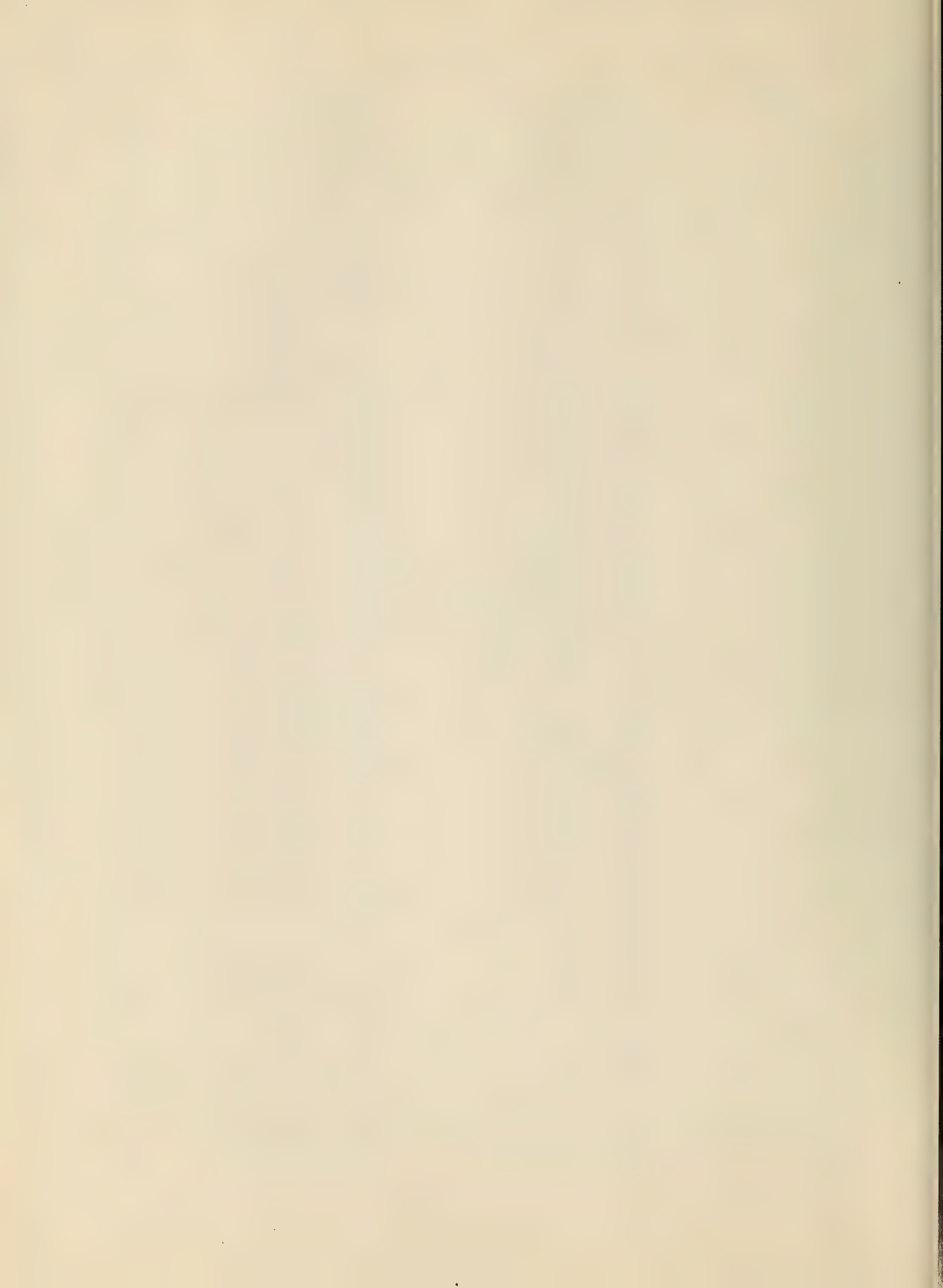
402	407.627				
Samma	1.546	George	1.152	Holloway	450
Ruggles	1.679	B. Brien	403	do	341
Stanton	910	Werning	1.716	do	516
Carle	312	433	442.625	Lawyer	500
Burwell	300	Western	520	Mullier	1.065
Owen	2.000	Chase	576	Faber	290
Hall	900	Smith	396	Hornay	1.000
Coon	120	Mosher	3.237	Snyder	1.254
Perkins	1.206	Adams	209	Woodcock	431
Grover	3.406	Thompson	336	Hotchkiss	1.128
Girard	1.629	Wheeler	3.926	Jones	660
Mason &c	684	Hawes	616	Douglas	1.068
Prince	700	Hosford	670	Drinkhouse	540
Athins	756	447	453.117	Zionby	684
Cook	348	Vol. 2. I. from January		Phillips	1.685
do	442	54 1832. to June 22. 1832.		Hurd	336
Marck	492	Walsh	300	Rives	2.040
Eastman	936	Stern	624	Vander	1.464
Cobb	363	Chase	756	482	481 036
Hurd	385	Fitch	381	Holmes	295
Davis	585	Lewis	287	Curriel	331
Johnson	210	Douglas	762	Wright	241
Seal	975	Tannoy	2.196	Booker	1.089
Bell	540	Granger	248	Bruener	525
do	559	Menady	403	Messier &c	736
Putnam	1.235	Irvine	1.126	Brown	949
Tamplin	840	Keeper	783	Haskaway	1.600
Reckers	552	Taylor &c.	444	do.	1.582
Doolittle	975	Whitely	1.277	Stare	427
Barnes	636	Himball	1.036	Gomperts	337
Follet	1.170	Simmons	480	Miller	330
Derries	650	Young	624	Alt. Alt. &c.	662
Root	3.636	Bogardus	744	Alt. Archard.	777



Miller	374	Hollard	2767	Reese	284
Rickardson	3.005	Goodman	1.456	Carrington	808
Powers	1.000	Irwin	854	Minton	200
Plaskins	1.544	Smith	448	Washburn	610
Capell	400	Locke	276	Wilson	768
Fairbanks & Co	1.045	Hendon	3.598	Branch	430
Price &	800	Price	204	do	231
Cory	1.324	Wolf	250	do	450
Lambert	1.512	Blaylock	1.105	Duffey	429
Mills	228	Humboldt &	414	Clinton	588
Wetmore	558	Condit	453	Harland	2.244
Gifford	1.644	Calvert &	678	Madina	627
Sinclair	916	Lancaster	760	Argonne	586
Cyle	404	Badger	154	Peabody &	1.188
Allen	1.896	Grimm	228	Adams	726
Remington	546	Ball	316	Cook	120
Francis	884	Register	242	Coston	560
Adams	798	Dean	434	Morgan	144
Drummond	960	Faber	800	Norton	156
Emmons	1.729	Gray	884	Dayton &	799
Seebold	600	Pratt	808	Nash	600
517	512.350	Pier &	2.102	Hearsey	1.078
Budcan	260	Pharm	374	Stoffell	283
Washburn	356	Wilson	666	Barnes	945
Brunson	214	Parker	385	Drummond	550
Newsome	754	552	546.075	Whittemore	572
Richards	528	Goins	514	Stinchfield	768
Harris &	504	Gravel	1.025	Newbrough	816
Brown &	5.338	Cornell	1.112	Rhodes	722
Fox	3.854	Savage	561	587	569.954
Harrison &	792	Holland	2.256	Indivon	1.000
Harris	481	Wesell	209	Philips	744



Drake	550	Evobank	600	Stahl	735
Green	924	Mayer	888	Hallam	2.600
Springer	206	Pharmacia &c.	626	Mott	860
Monahan	231	624	600.684	Burner	1.080
Bamford	1.692	Pharmacia &c.	251	Byram	2.708
Gardner	280	Sheffield &c.	1.226	Parley &c.	590
Shultze	972	Bogardus	864	Foster	440
Johnston	1.332	Herk	418	Chapman	580
Clark	734	Hyle	1.068	Booth	396
Richmond	744	Allen	580	661	632.933
Dugdale	1.008	Ruple	1.212	Chapman	925
Coleman	691	Webster	374	Garrow	700
Boston	521	Aborn	1.104	Winstock &c.	285
Zwahlen	418	Backett	1.008	Bacon	410
May	876	Parkifer	1.528	do	330
Potter	642	Carpenter	1.024	Prentiss	1.025
Dudley	282	Bloodie	350	Mason	2.115
Wilmer	2.807	Munson	590	Culver	535
Tracy &c.	697	Gegg	585	Setters	865
Kable	742	Adams	2.008	Wiswell	740
Andrews	1.188	Fellows	1.126	Smith	570
Beach	742	Prescott	490	Loomis	285
Gie	486	Judd	300	Mason	1.130
Taft	470	Foster	294	Day &c.	770
Boyle	844	Sahnstock	530	Partridge &c.	815
Wetherly	176	Fisk	1.594	Barrall &c.	860
Earl &c.	913	French	920	Richardson	560
Beule	936	Mage	1.130	Avery	435
Barlett	770	Sawyer	536	Bright	360
Graham	3.017	Stoddard	280	Howe	3.130
Phillips &c.	797	Knappe &c.	560	Hendall	630
Wilson	154	Greene	330	Leid	640



Merrill	1270
Common	430
Porter	2245
Parker	800
Widow	1100
Loring	1170
At Day	510
690	658.123
Tibbitts	1520
Batchelder	190
Nicholls &c	1300
Korn	240
Cobb	1240
Stinkley	400
Prosser	810
Gordell	515
Philips	965
Griswold	390
Hale	1320
Showerman	270
Kear	310
Crowl	290
Wolf	405
Van Gorder	1300
Brown	510
707	670.698

Patents Vol. 21. From June 22^d 1832, to June 28th.

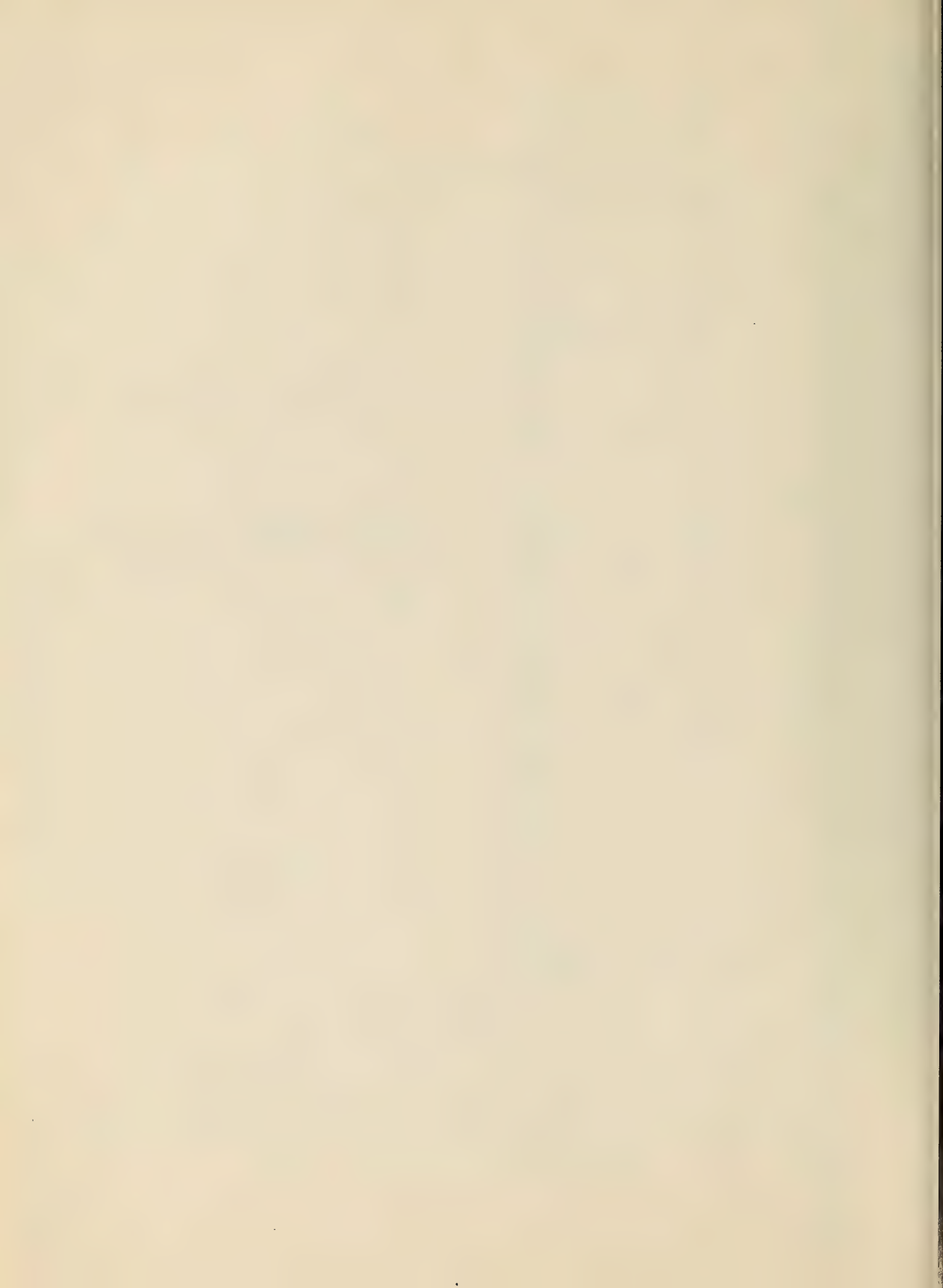
In the foregoing pages there are			
8 columns of Patents.	37 each		296
7	" " "	35	245
1	" " "		36
1	" " "		19
1	" " "		22
1	" " "		9
1	" " "		29
1	" " "		17
1	" " "		34

Patents Recorded 707

In days, 686

Statement B.

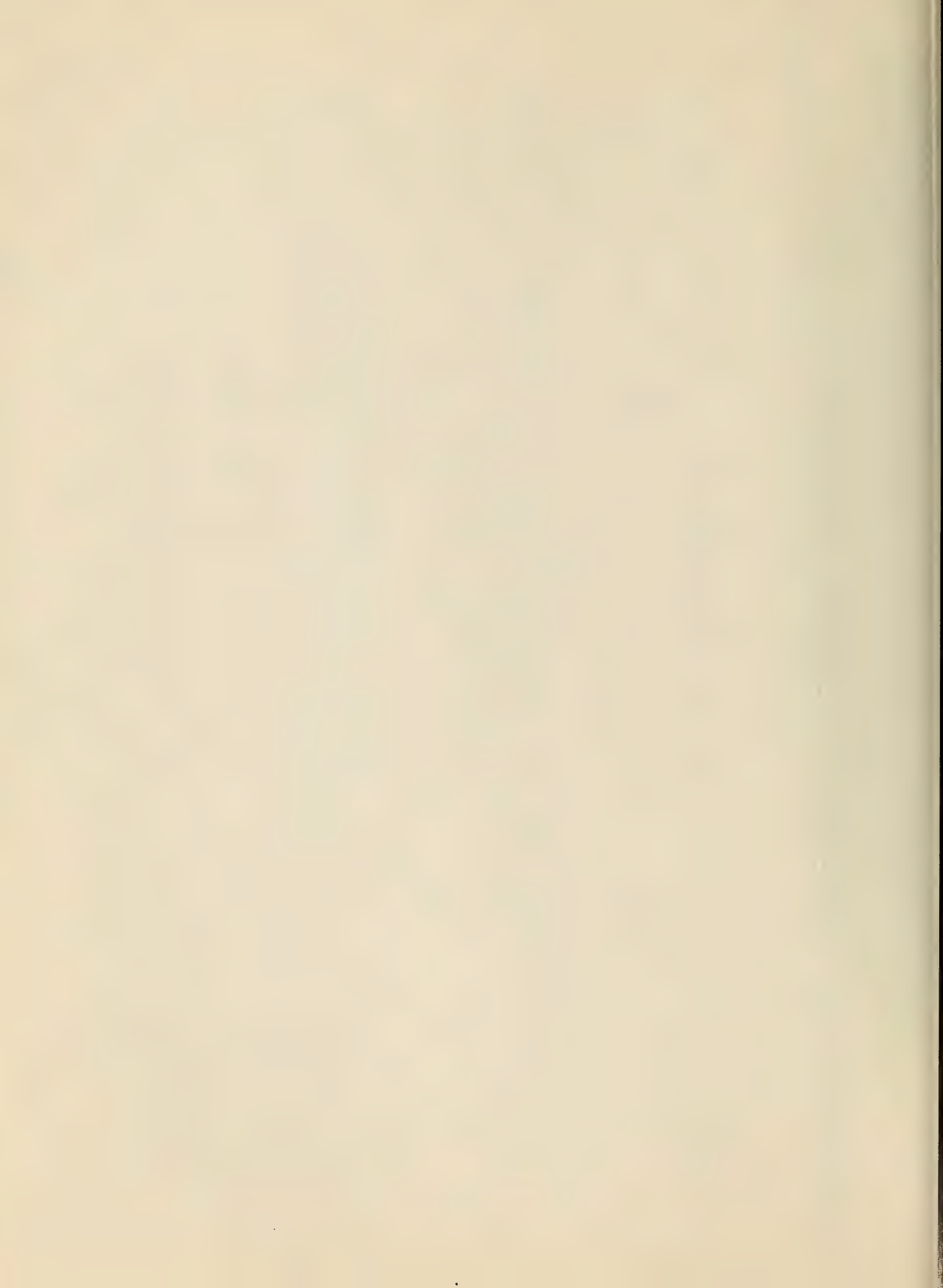
Giving the number of Patents, with the Patentees' names, which patents were copied on parchment for Issuing - taken from unrecorred kept by C. Bulfinch just at the time of writing them.



Specifications copied on Parchment for Issuing New
Patents by C. B. Hutchinson Junr

1830. May 17 days	Wood	Thompson	Lewis
Allen	Willard	Phelps	Amesley
Lane	Miller	P. Lock	ditto 8 pages
Porter	Williams	Longfild	Davis
Butby	Ellanberg	Arnold	Breant
Vaile	Peters	Shepherd	Grand
Fisher &c	Smith	Honeywell	Rundle
Hyde	Arnold 14	Smith	Rice
Howell	Patents 36	Stewarts	Williams
Pond	Pool	Dranconant	Holmes
Kirkpatrick	G. Arnold	Granger	Littleby
Kingsbury	Horton	Foot	Disbrow
Williams	ott	Hale	Tennay
Schurck	Estlin	Post	Smith
Babcock	Newton	Stroop	Devey
Lewis	Lester	Hendinger 17	Cole
Bogardus	Horton	72	McGann
Cushman	N. Adams	Zell	Burrow
Brewster	Pottis &c	Slater 2	Bruce
Evans	A. P. Mason	October (9 days)	Flagg
Peterson	Gilpin	Jarvis	Ambley
Potts	Stocking	Lumman	Carshins 22
Snyder 22	Kingsbury	Liverill	105
June 26 days	Beach	Hairland 7 up pages 3	Dec. (6 days)
Simpson	Stratton	Salisbury	Burrall
Baker	Shaw &c	Thurston	Gentry
Mobley	Pearce	Winifred	Tiffany &c
Yachting	Hammond 19	Loring	Thompson
Sanford	July 15 days	Distrow 9	Amos &c
Crabank	Pattis	Nov. (19 days)	Forte

Pulmer	Boydston	Hayward	Brown
ditto 2 nd pat.	Roe	Stanton	Coledge
Little 9	Butterfe	Andrews	Evans
Patents 11/4	McMullen	Jerusalem	Judge
1831. Jan'y (12 days)	Cleaves	Shaw	Syler $\frac{17}{92}$
Cogswell	Greer	Woffe	Crane
Skinner	Croft	Wood	Gillet
Gordon	Paulding	Situs	Saintsamb
Tahoney	Robinson	McCormick	Phillips
Feb'y (24 days)	Letterick	Crozier	Heidi
Sherman	Morrison	Harrington	Jackson
Heidy & pages	Turner	Dean &c	Hitchcock
Emmons	Woolley	Smith, & pages	Tees
Cropper	Torbes	Burges	Eckstein
Fox &c	Yarnum	Warren	Palmer
Meigs	Schultz	Girard	Frankham
Harmon	Millis	Newton	Patterson 12
Cornell	Dawley	Stone	June, (24 ds.)
Herbstach	Chapman	Jencks 20	Bryant
Hester	Blanchard	May (26 ds.)	Chase
Kitzel &c	Bill &c (long)	Hind	Sutton
Tuck	Situs	Hewitt	Marsh
Oris	Conde 24	Arnold & pages	Reckers
Eastman	April (22 ds.)	Stöbel	Hoyt
ditto 2 nd pat.	Wilcox	ditto 2 nd pat.	Humball
Greenwood	Roe	Tahoney	Costen
Jacobs 21	Marks	Baker	Barlow
Sherman & pages	Eastman	Chippes &c	McKinney
Angeline	Lewis	Evans &c	Swift
Barlow 3	White	Hale	Elliot
March (23 ds.)	Pickens	Emmree	Hearsing
Hyde	Cony 55	Mackrell	Clark



Vestburgh	Emmons	Goodyear	Cooper
Douglass	Tyson	Hane	Zimfel
Converse 22 pages	Hobbs	ditto 2 pat.	Stanford
Taft	Broughton	Britton	Holt
Woolson	Conrad	Clibborn	Stimpson
Thatcher	Wallace	Brief	Callinan
Tachels	White	Byrant	Phelps
Bates & 15 pages	Stewart	Compressor	Robbins
Seely	Williams	Van Arden	Tibbitts
Palmer	Spencer	Reed	ditto 2 nd pat.
Winnans. 10 pages	Estes	Eastman	Prescott
Skinner 26	Hull	Buck	Reading
July (20 ds) 130	Narracong	Bull	Lane
Pine	Silston	Tolles	Gordon
Gornett	Shull	Cooper	Baker
Payne, &c	Stimpson	Wickwire	Hooper
Prescott	ditto 2 pat. 7 pages	Van Luyk	Williams
Whitman &c	Night, 8 pages 18	Wilder	Richards
Wyckoff	Thomas 166	Myers	Kramer 23
Turner, 26 pages	Evans	Wooly	Nov. 19 days
Baich &c	Colley	Page	Borgonio
Etheridge	Wyckoff (reissued)	Brace	Brown
Redifer	Lay	Richards	Holdredges
Rogers	Burton	Clark	Shaw &c
Munch	Barber	Cole &c	Bent &c
Carroll	Sinkler 8	Green &c	Conwell
Herstman	Sept. (26 days)	Hull 32	Parker
Gannig	Morvin	Oct. (24 days) 206	Granville
Mattby	ditto 2 nd pat.	Wooly	Tufts
Manhinney	Swiple	Henderson	Spencer
Jennings	Barnes	Treadwell 23 pages	Tutill
August (25 ds)	Craborn	Goddard	Sullivan

Swains	Green	Howe (2 days)	De Will
Stewart	14	M'Whitman	Whipple
Jennings	245	May (10 days)	8 pages
Hickpatrick	Bable	11	Hathaway 12
Hinkle	Scute	Dickinson	Toby (21 days)
Rice	Green	Hughes 4	Wiley
Strawberry	Sheffield	Dec. 7 (19 days)	Bearce
Winnipeg	Boydell	Barlow	Rick
Shaffer	Ruple	Lockwood	Scholfield
Porter	Webster	23 pages	5 pages
Emes	Bracket	Callender	Prison
alt 2 (pat)	Conover	Reynolds	Morrison
Stitcher	Adams	Sturley	Douglass
Beach	12	Green &c	15 pages
Patents 255	Fellows	Willit	Cook
for 1831. copied on	Prescott	Thompson	St. Duffer
Parchment	Fisk	Cronshaw	Hemmenway
Patents written on	Mayo	Hink	Hinkle
Parchment in 1832	Watson	Long	Green
Toby (2 days)	7 pages	Walker 13	Boydton
6th Upphart	Byrnes	In 1832 59	Allen 14
" Curriel	5 pages	Patents 1833.	March (10 days)
17th Stashins	Darwin 18	on Parchment.	Fisher
April (8 days)	32	June (10 days)	Roberts
Washburn	Prescott	Jan. 11 (13 days)	Shaker
Stint	Mason 5 pages	Bradshaw	Thurlock
Peabody	Smith	Swirlant	Berry
Langdon &c	Mason	Duplantier	Stuart
Adams	Howe	Dibble	Bidwell 7
Stinchfield	Birrell	Cole	33
Stoughton	Hendall	Bowster	Pott, &c
Rhodes	Everman	Keith	Boydton
Sullivan	Parker	Bachmann	Moses
	Richardson 10	Burr	Pages
			Lewis 6
			April (4 days)
			Read
			Bayles &c
			Wallace
			Hayden
			43

Recapitulation of amount of Patents written on Books
used for issuing new patents, in the years 1830, 1831, 1832, 1833.

1830 in May	17 days	22	Patents
• June	26 "	33	
• July	15 "	19	
• October	9 "	9	
• November	19 "	22	
• December	6 "	9	— Parts of 6 months, 92 days — 116 Patents.

1831 in Jan'y	2 days	4	Patents
• Feb'y.	24 days	20	
• March	23 "	24	
• April	22 "	27	
• May	26 "	29	
• June	24 "	26	
• July	20 "	18	
• August	25 "	26	
• Sept.	26 "	32	
• October	26 "	23	
• Nov.	19 "	26	— Parts of 11 months. — 235 days. — 255 Patents.
• 11	235 "	255	

1832 in Feb.	2 days	3	Patents
• April	8 "	11	"
• May	18 "	18	"
• June	10 "	10	"
• Nov.	3 "	4	"
• Dec.	19 "	13	"
• 6	60 "	59	— Parts of 6 months. — 60 days — 59 Patents.

1833 in Jan'y.	13 days	12	Patents.
• Feb'y.	21 "	14	"
• March	10 "	13	"
• April	4 "	4	— Parts of 11 months — 48 days — 43 Patents.
• 4	48 "	43	— Parts of 27 months — 435 days — 471 Patents.

Allowing 26 working days, (of 30 working days) in 6 months, — 435 days would give 16 months & 19 days.

Statement C.

Showing the time elapsed, since the entrance of C. Bulfinch Junr.
into the Patent Office; — together with the deductions to be made therefrom
Statement of the time elapsed, since my entrance into the Pa-
tent Office, with the deductions to be made therefrom.

Entered the Patent Office, March 5th 1824.

Days in March from the 5 th	26
From April 1 st to Dec: 31 st , 9 months	days. 275
	<hr/> 301
Jan 1830	365
" 1831	365
" 1832 (leap year)	366
" 1833 to June 11 th .	162
	<hr/> Days. 1559

Deductions from the above, viz.

1829. March — Labelling and Registering Models	days 26
April & May — Writing on Parchment for Issuing Patents	61
June & July — Spent partly in recording, partly on Parchment — & 2 weeks on a journey	61
August 1 st to Dec: 31 st , 5 months, — Sundays & Holy-days —	22
	<hr/> 170
1830. Sundays	52
Holy-days, viz. Juny 1 st , July 5 th , Oct. 28 th .	
Nov: 6 th , Dec: 25 th , (Christmas)	5
Sick — March 20 th , July 19 th , Aug: 20 th .	
Oct: 14 th & 15 th , Nov: 15 th & 19 th .	7
On a journey by commission from Aug. 21 st to 31 st .	10
Letters to write for the Office, Oct: 4 th , 21 st .	
Nov. 23 rd Dec: 1 st .	11
	<hr/> 248
1831. Sundays	52

Holy days - Jan'y 1st, July 1st, Dec: 26th 3
Sick - Jan'y 12th, March 4th & 26th, June 18th.
 July 1st, 5th, 13th & 14th, Aug: 5th & 8th, Oct. 5th, Nov. 10th, 12
Out of work. Aug: 22^d 1
Absent, with leave. June 7th, July 7th, (Mumford's death) 2
 carried forward 318

1832, Sundays, 52
Holy days - Jan'y 2^d, Feb'y 22^d, July 26th, Dec: 25th 4
Sick - Jan. 23^d & 26th, March 20th & 21st, May 14th,
 June 4th, 16th, 25th, Oct. 17th, Nov. 6th, 8th, 16th,
 Dec: 4th, 19th, 24th, 28th 16
Letters to write for the Office May 11th 1
Absent, with leave, Feb. 3^d, March 30th, April 28th
 June 7th, Oct. 15th, Nov. 16th, (Carroll's death) 6
Out of work, Feb. 21st 1
Making estimates for the Office, from Nov. 20th to 28th 7
 405

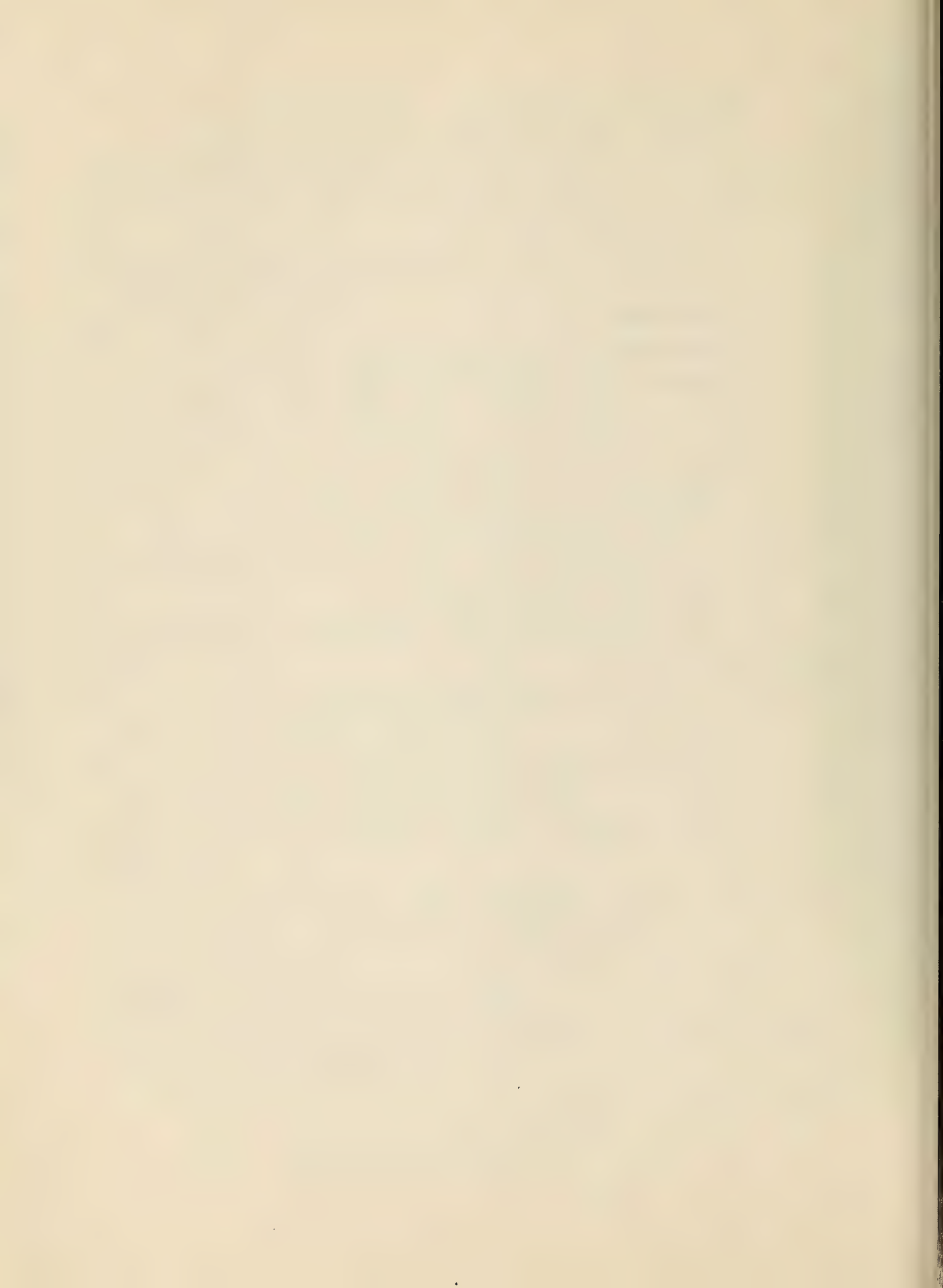
1833. Sundays, from Jan'y 1st to June 11th,
 in 162 days. Sundays, 23
Holy days, Jan. 1st, March 4th, 2
Sick, - Feb. 2^d & 20th, April 3^d & 23^d, May 15th, June 1st, 6
Absent, with leave, Jan'y 4th, Feb. 25th, 2
 438

Time since C. Bulfinch Jr. entered the
 Patent Office, (as above) days 1559
 Deduct, as above. 438
Regular working days, 1121

Washington, June 25th 1853

Hon^{ble} Louis McLane,
 Sir,

I received, yesterday, a notice from



me, stating that charges of incompetency had been preferred against me, by the Superintendent of the Patent Office, & that in consequence, my employment would cease on the last day of this month.

It is with the greatest regret I perceive, that the Superintendent is not satisfied with the services rendered by me; but pain-
ful as it is, to come in conflict in any manner, with the
statements of my Superior, — I believe that a statement from
me, of the manner in which my time has been occupied
in the Patent Office, together with the amount of service of
different kinds performed by me, will satisfy you, that I
have been neither negligent nor incompetent, to the dis-
charge of my duties.

I shall therefore, Sir, esteem it a great favor, if
my sentence of dismission may be suspended, until I
can furnish a statement of the amount of duty perform-
ed by me; & that I may have free access to all Books & doc-
uments in the Office, from which the necessary data can be
drawn.

It would also be a favor, if I could be furnished
with a copy of the charges preferred against me.

I have the honor to be, with the greatest
respect, Sir, Your most humble servant,

Chas. Balfinch Junr.

Enc
JWR

To the Hon. Louis M'Lane,
Secretary of State of the United States:
Sir,

Department of State,
Patent Office, June 26th. 1853.

It is with the utmost reluctance that I
add to your laborious official duties, by troubling you with
any communication of a private character; but the necessity of



the case with apologize for my appeal to one, who has always been distinguished for his justice and liberality. —

For many years I have been employed in the Patent Office, to record transfers of patent rights and to make out certified copies of patents, with drawings; and for which I received as a compensation for my services, the fees allowed by law, viz. 20 cents per 100 words, which never amounted to more than 600 dolls. per annum, including the sums received for copies of drawings, the cost of each being determined by the trouble of making it.

I find by a proposed arrangement, that this duty is recommended to be done by a Clerk with an annual salary. This, if carried into effect, would displace me from office, (unless I were to be that appointed Clerk) and deprive me of my small employment, — and would in my opinion be an act of injustice.

By an arrangement between Mr. Van Buren and my father (who was formerly a Clerk in the Patent Office) I was to be appointed to this office, on his relinquishing his office. When the arrangement was made, I was in Europe, pursuing my studies as an artist: — On the faith of this arrangement, I came home, and entered on the duties of office: — how I have fulfilled these duties I leave to the Superintendent to state. — For the truth of my statement I appeal to Mr. Van Buren & Mr. Daniel Brant.

I do not by this communication wish to be understood as interfering with the economy proposed in the arrangement: all I desire is that I shall not be made the victim to the alteration. However, I cannot help here remarking that this subject has already been in consideration, before former Secretaries of State, and it was decided that the present system was quite as economical as any that could be proposed; because the person doing the duties which I perform, must necessarily be Clerk but a drafterman; the business of patents . . . is many

cases being accompanied with drawings.

I shall be happy to make any further explanation on this subject if required.

I am, most respectfully,

Yours obt. Servt.

W. P. Elliot.

P. S. It is an undisputed fact, that the business of the Patent Office, like that of the Genl Post Office, is annually increasing, (depending on the increase of population in the U. S.);— how then can any of the present clerks be dispensed with, when they, and more, were deemed necessary a year ago, and for several years past, to perform the current business, as may be seen by the Secretary's annual reports to Congress.

W. P. E.

End
JHE

Patent Office, June 27th, 1833.

To the Hon. James M. Lane,

Secretary of State,

of the United States,

Sir:—

In my communications of yesterday, I referred to former decisions of your predecessors in office, on the subject of my letter;— herewith you will receive the copy of a letter which I wrote, addressed to Mr. Livingston; and upon which he decided that the business should be continued to be done as formerly, and paid for in the same way.

After the decisions of Mr. Adams & Mr. Livingston on this subject, it seems difficult to account for agitating it again at the present time:— economy will certainly not account for it.

I am, most respectfully,

Yours obt. Servant,

W. P. Elliot.

End
JHE

(Copy)

Washington, Nov^r 9. 1831.

To the Hon. Edmund Livingston

Secretary of State
of the United States.

Sir:—

The Attorney General of the United States, having lately given an opinion, respecting the disposition of money received for making copies of Patents, and Drawings in the Patent Office, which affects the compensation I receive for my services in that Office. I am induced at the request of Sec^y. John D. Craig, Superintendent, to apply to you for your decision. To make you fully acquainted with the business, and to allow you time to consider it at your leisure, I have thought proper to give you a narrative in writing of what has been the custom and decision of former Secretaries of State, and Attorneys General on this subject; with a full confidence that you will decide this question according to law and the interest of the public.

In the proviso of the 11th section of the Patent law of 1793, it is stated, "That for every copy which may be required at the said Office (Patent Office) of any paper respecting any patent that has been granted, the person obtaining such copy, shall pay at the rate of 20 cents for every copy sheet of 100 words; and for every copy of a drawing, the party obtaining the same shall pay five dollars; of which payments, an account shall be rendered annually to the Treasury of the United States; and they shall also pass to the account of Clerk hire in the Office of the Secretary of State".

As the amount for copying &c. was very trifling (not exceeding 2.00 dolls. per ann.) up to the year 1824, it was always paid over to the person performing the service. And as it required a draftsman as well as Clerk, and no Clerk in the Department of State being adequate to the task, the business was given to



some one out of the Department, capable of performing it. In the year, 1824, when Mr. Adams was Secretary of State, he required from the late Doctor Thorndike, information on this subject; this the Dr. gave; relating the practice of the Office as before stated. Mr. Adams decided, that the business should be done by the same person as heretofore; but that the money received was to be paid to the Agent of the Department of State, who was to deposit it to the credit of the Department, and give a check for the amount deposited, for payment to the ^{person} performing the services. He also required that a quarterly account of the same should be rendered to the Department of State; and this was always done till within the last two years;—when the present Agent of the Department (Mr. Wadsworth) declined receiving the money; though the account has always been regularly kept and rendered to the Secretary annually. —

It must be obvious to you, Sir, that it is almost impracticable to fulfil literally the letter of the law; because it requires a draftsman as well as a clerk to make the copies required, and no one can be found who will make a copy of drawings for two dollars; when they worth from 20 to 30 dollars, & sometimes more.

For the last 14 years I have performed the duties above mentioned; (except 3 years that I was in Europe) and I have never received more than 500 dollars per ann. & how the services have been performed, I appeal to the present Superintendent, and those connected with the Patent Office to say. I hope, therefore, that should you decide that it is necessary to have a clerk appointed by Congress, for the above purpose, I shall, by my former services, have merited your approbation and receive the appointment. However, which way soever you may think proper to decide, I feel assured that it will be in justice and kindness to

Yours much obliged & obedient servant

W. P. Elliot.



Hon.^{ble} Louis McLane,
Secretary of State.

Washington July 3^d 1829.

Sir,

Having been kindly indulged by you, with the time and opportunity to make my defence against the grave charges preferred against me by the Superintendent of the Patent Office, charges going back to the time of my entrance into the Office, I have bestowed my most careful attention in preparing what I hope will be received as a satisfactory vindication.

I received my appointment in March 1829, upon the recommendation of many highly respectable members of Congress.

The branch of business for which I was appointed, (being a newly created Clerkship) was for the Recording of Patents, which had been issued from the Office.

I was at first directed by Dr. Geo^d B. Jones, the then Superintendent, to label a number of new Models:— this occupied my time till about the first of April. I was then employed in writing Specifications on Parchment for issuing Patents, during April & May. About the 1st of June I commenced Recording Patents (my special duty)— but was frequently required after this, to assist in the current Parchment work of the Office. I was then allowed by the Superintendent, to take a short journey, & was absent about two weeks. Thus June & July were spent, partly in Recording, and partly on Parchment, & the remainder on a journey.

My regular recording I consider as commencing about the 1st August 1829, (for though frequently taken from this duty, after that date, yet I had recorded enough in some proceedings, to make up the deficiency.)

My recording, though fairly commencing Aug^t 1st, 1829, consisted of Patents issued at & from the beginning of the year:— thus putting back my record, even at starting, about seven months:— this has unavoidably increased, from my being taken from the

record & put upon parchment work, since Jan^y 1st, 1830, more than sixteen months, as per Statement B, accompanying this, — and also from the necessity of my being obliged to do all the recording of any given year — whereas the same patents when issued, are, upon affairs of business, put into the hands of several clerks.

The number of Patents, Recorded, from August 1st, 1829, as before, to June 11th 1833, is, as per Statement A, 707, recorded in 686 days. June 11th is the period to which the Superintendent makes up his Statement, & my number of recorded patents agrees with his.

The number of patents, copied on Parchment for issuing from May 1830, to April 9th 1833, is as per Statement B, 471 in 435 days.

Patents Recorded — 707 in days 686

Patents for Issuing — 471 " " 435

Patents 1178 Days 1121

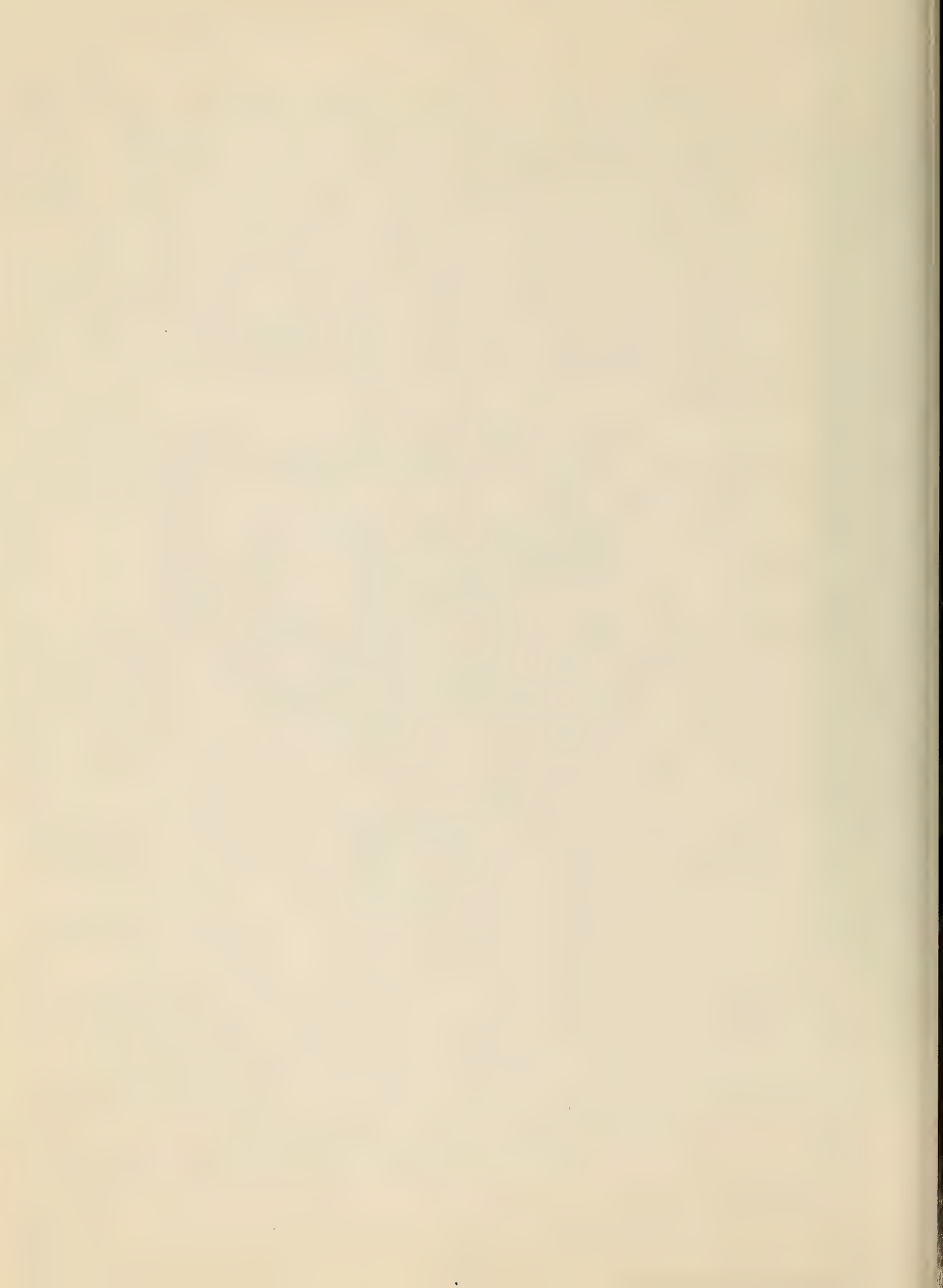
Besides the above 471 Patents, many more were copied on parchment in 1829, of which no exact account has been kept. — Statement A, shows the number & names of all the Patents Recorded by me, since my entrance into the Office — drawn from the Record Books.

Statement B, shows the number and names of Patents copied on Parchment since May 1830: — of those copied before that date, no exact account has been kept.

Statement C, shows the time spent since I entered the Office, with the deductions to be made therefrom.

The accounts of my employment previous to January 1st 1830, are taken from a copy of a letter addressed by me to the Secretary of State, Jan^y 5th 1830. The subsequent accounts are drawn from the memoranda kept by me, at the time, of each days work — these are now in my possession.

In reply to the charges preferred by the Superintendent,

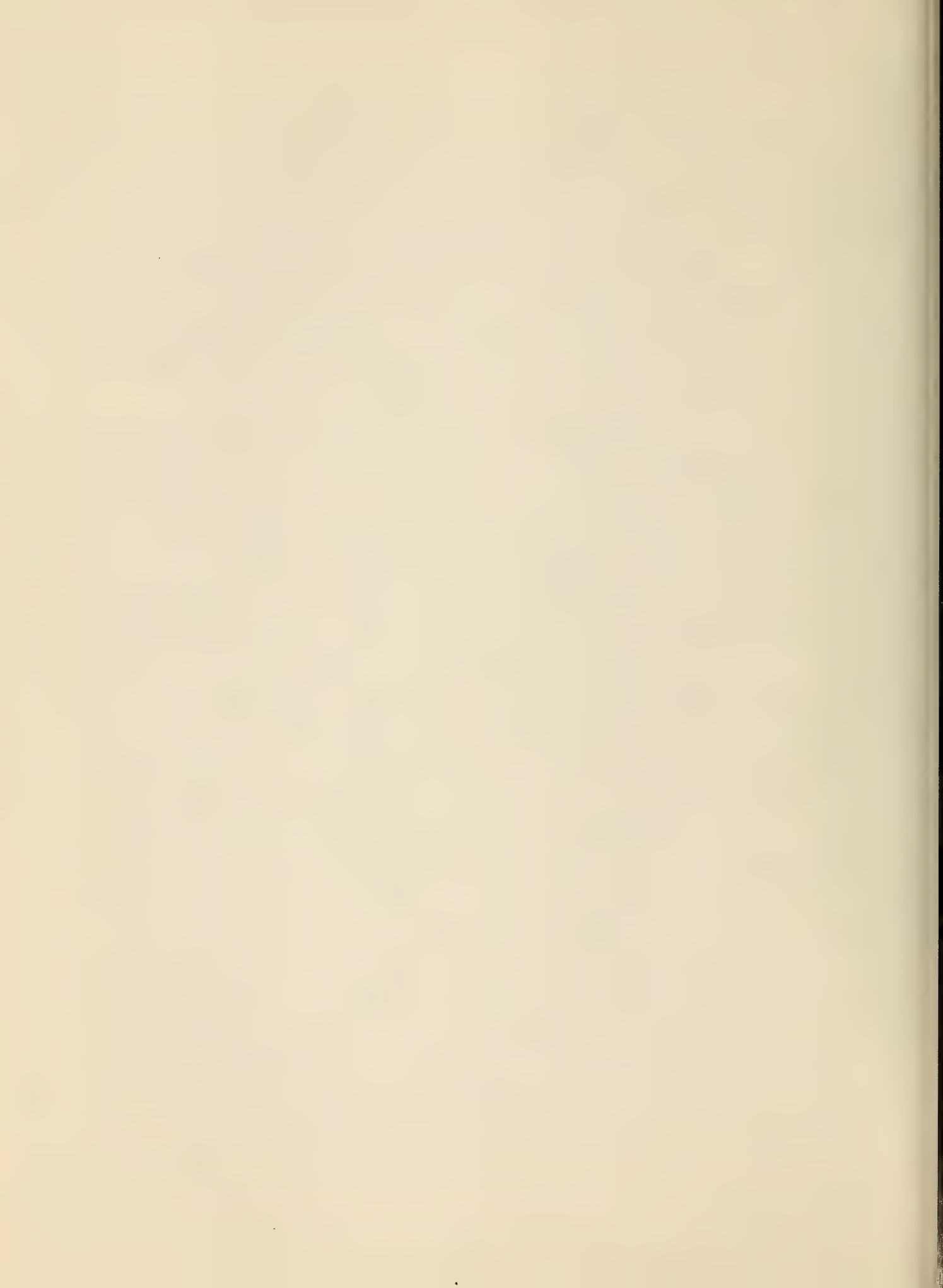


As to "devotion of duty", I am not aware of any. I have rarely absented myself from the Office, even for a few minutes, without his consent, or notifying the cause to the first clerk, except when absolutely disabled from performing my duties by sickness; and while at the Office, I think I may truly say, that I have devoted my time as conscientiously to the public service as any clerk whatever. When absent on a journey, or away from the Office for a few days (always by permission of the Superintendent) I have always, when required, furnished a substitute at my own expense to perform my duties, my substitute being approved & accepted by the Superintendent.

As to "physical inability", I think it a cruel and exaggerated charge. Occasional infirmity is the common lot of humanity — every one is sometimes prevented by sickness from attending to business; & I think it will appear, as from Statement C, that absence from duty for 7, 12, or 16 days in the year, owing to sickness, is hardly enough to subject a clerk to the charge of "physical inability", or of health so bad as to incapacitate him from business.

My eye-sight, I allow, is not so strong as that of some, but it is probably not worse than that of many, who, like me, are in the habit of wearing glasses; & the writing of 1178 patents, many of them from 6 to 10 or 20 pages, in 1121 days. I would respectfully submit, does not appear like incapacity for business.

But the greatest injustice, I conceive, is done me, by allowing no more than "four months", for all the time employed on Patent work; as by my Statement B, it appears, that from May 1830, to April 1833, I was employed, (at different intervals) upon this sort of work, 16 months & 19 days, or 435 days; in which time I copied 271 patents. This Statement is drawn from a memorandum or diary, in which each days work was minutely down, as it was actually performed. Besides this, many Patents were written on Parchment in 1824, of which I kept no exact minutes, but obtain the time so spent, from a copy of a letter of mine, dated July 5th



1830, added to the time Mr. Van Buren in this writing occupied at least two months, May & April 1829, as per Statement C. making with those mentioned above, nearly 19 months. Indeed all my time, from March 5th to August 1st, 1829, was occupied in such miscellaneous duties, as will appear from Statement C, that I consider my regular employment of Recording, as commencing Aug^t 1st. I deduct the previous five months from the time since I entered the office, as also all the time afterwards spent on Parchment work, Sundays, Holydays, &c.

From March 5th 1829 (when I entered the office)

to June 11th 1833, is 4 years 93 days

Off, (as before) the first 5 months, Sundays &c.

as per Statement C, 438 days

Off, time spent on Parchment

work, from 1830 (per Statement B) 435

873 days or 2 yrs. 143 days

Remains 1 year 315 days

All the time which I have spent on Recording, is 1 year 315 days, or 1 year 10 months 15 days.

From the above it appears that, instead of "four years, less one month", spent by me on the Recording, as stated by the Superintendent; — after proper allowances are made — only one year, 10 months & 15 days were so spent.

With regard to my general character for moral conduct, & quiet, assiduous attention to my duty, in the office, I would respectfully refer you to Dr. Thos. P. Jones, by whom I was nominated to the Superintendent, & who had, for a considerable time a good opportunity to observe my conduct.

I hope the above Statement is sufficient to show, that during the four years & a quarter since I entered the office, I have performed a reasonable amount of duty — that if not one of the most rapid writers, I am still very far from being the

least efficient Clerk under Government. This, I am persuaded, would more strikingly appear, could the performances of others be subjected to the same severe scrutiny, as mine have been.

I will now, Sir, leave the whole matter to your decision, well convinced that you will not be disposed to judge harshly, nor deprive of his means of subsistence, without full cause, one, who has devoted his time conscientiously & to the best of his abilities, to the faithful discharge of his duties.

I am, Sir, with the greatest respect,

Your very humble servant,
Chas. Butler Junr.

Exd
JBR

Patent Office July 10th

Sir,

As you have been discharged from this Office, you cannot, till reappointed, be considered as belonging to it.

Yours Respectfully,

Mr. Charles Butler Junr.

John D. Craig

Exd
JBR

(Copy)

Washington. 10th July 1833.

J. D. Craig Esq.

Superintendent of the Patent Office.

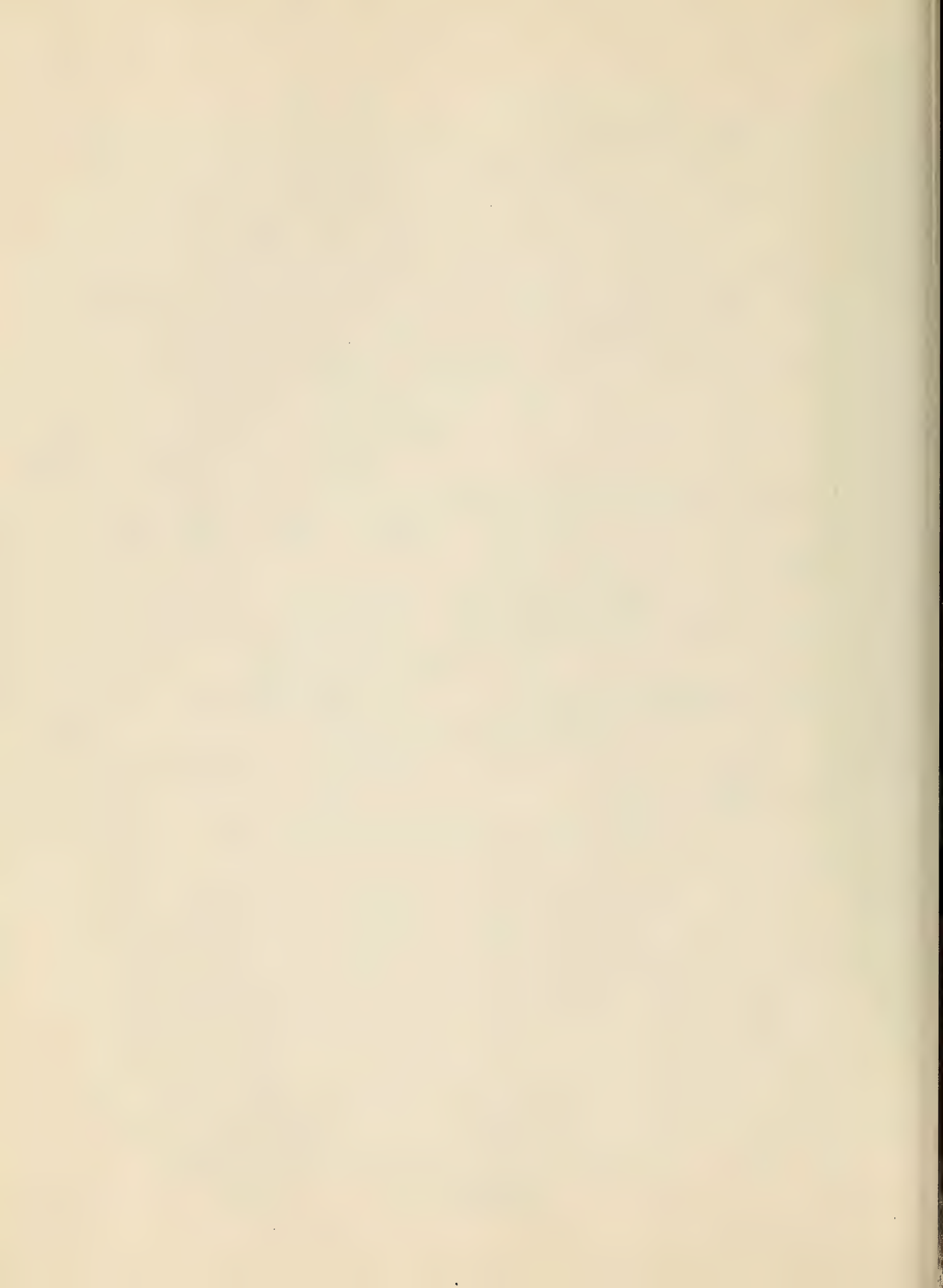
Sir,

As the decision of the Secretary of State in my case, has not yet been obtained, and as from his suspension of my dismission, I am still in the office, I am ready, and it would be agreeable to me, to perform any duty which may be assigned me.

If therefore, it would be agreeable to you, I shall be glad to have papers delivered to me, that I may continue my recording, until the pleasure of the Hon. Secretary be made known.

I am Sir. Your obed^t. Servt. Chas. Butler Junr.
(Signed)

Exd
JBR



Patent Office, July 17th 1845.

Rev. Dr. David McLean,

Sir,

Having understood the suspension of your order for my discharge from the Patent Office, as placing me on the footing on which I previously stood, at least, until a definite ^{and final} decision should be made by you, upon the charges preferred by Dr. Craig, I had believed it incumbent on me to perform the duties of a clerk as usual. Accordingly, after I had finished the recording of all patents that were in my hands, I sat on the principal clock for more papers to copy. He said that he had orders from Dr. Craig not to furnish me any more patents to record.

I then applied by a note to Dr. Craig, a copy of which I now with inclose, transmitting him, as I believed it my duty to do, my services in the office, until your pleasure in the matter should be made known. To that note I received the reply of Dr. Craig, which is also inclosed. I have, notwithstanding, deemed it proper to give, and accordingly have given my daily attendance at the office, & have always been ready to perform my duties, with as much fidelity and efficiency as God has given me the power to do.

Charged as I am, by my superior in office, not indeed with crimes, or moral obligations, but with an inefficient & imperfect discharge of duty, I have felt sensibly, the difficulties which a just and proper defence of myself compels upon me. I cannot make the issue personal, between myself and Dr. Craig, but I think I may venture to say, that an unreasonable prejudice on his part has induced him to the various efforts he has made to cause me to be removed from the office. For I must avow, that this is the third time that he has preferred similar charges. He first did so before Hon. Mr. Van Buren, and then before Hon. Mr. Livingston, both of whom, after a full investigation of facts, set aside the charges. He has now presented them to you, Sir, but relying upon your dispositions to do justice, I must cheerfully leave the decision in your hands. Mr. Dr. Jones knows me well, and the nature of my services in the office, and as he is more unconnected with it, and well known to you, I should be happy that you should have his testimony upon the subject; but as I understand that he is about to be for some time absent, I request your permission to take his statement in writing.

I am, with great respect,

Sir, your very obedient servant,

Chas. Chauncey Jewett.

28-
516



Hon. Louis McLane,

Dept. of State, Patent Office,

July 11th 1835.

Sir,

I have perused the defence set up by Mr. ^{Chief} Butfinch, Esq. against the allegations filed by me on the 24th Ult^o and seen little else signifying on my part, than to offer a most positive denial to the correctness of it.

It is doubtless true, that he has made it up from memoranda kept by him, but from my own personal knowledge and observation, he has taken credit for much more time than was ever consumed in the performance of other duties than recording patents. So far as the records of this office furnish data, I am sustained in the statement made of the recording done, and as acknowledged by him; the letters copied by him have been examined, and found to contain not more than 8000 words, for which \$10, would be ample compensation.

I will now take Mr. Butfinch upon a single, and by far the most important, item, to him, in his defence, and by his own showing prove, that he has not earned \$456. per annum; I have estimated it at a little more than \$200.

He admits that 686 "working" days were consumed in recording 707 patents, containing 672,209 words, averaging 979 words per day at 12 1/2 cents per hundred words gives him 1.22 1/100 per day, for 312 "working" days = \$381.86 per annum.

As Mr. Butfinch has labored to prove the charges false, I now render the painful necessity of calling upon the other two clerks for a statement which is herewith transmitted.

I have the honor to be Sir, Your Obedt. Servt.

John D. Leary

Ead
JDL

Dept. of State. General Office,
July 18th. 1833.

Hon. Louis B. Lane.

Secretary of State.

Sir,

Before a final decision in the case of Mr. Butfinch, I beg leave to trouble you with a few observations.

Congress, in 1832 appropriated \$15,612 - "for recording the patents issued and unrecorded, as well as those hereafter to be issued, at a rate not exceeding 12 1/2 cents for every hundred words." The "unrecorded" Patents then in the office, have been recorded, and a part of said appropriation yet remains unexpended, sufficient to pay for recording all that will be issued for several years to come, at the rate fixed by law.

Again the act of 1793 (last clause of 15th section) is understood to declare, that Letters Patent "shall be recorded in a book to be kept for that purpose in the Office of the Secy. of State, and delivered to the Patentee, or his order" as they are issued.

Mr. McDonald was appointed by Mr. Livingston to fulfill both these provisions: he engaged to record all the Patents as issued, for 12 1/2 cents per hundred words, and has proved himself fully equal to the task. Whereas Mr. Butfinch, were he to exert his utmost powers, could not record one-half of them. - Already this year, 319 have been issued; a number Mr. B. could not record in 12 months, were he to labor every day. If then Mr. Butfinch be reinstated, Mr. McDonald, one of the best Clerks in Washington, must be discharged; for only one person on the machinery can be retained, and the recording again falls behind; and cost at least three times the sum specified by Congress.

If to these inevitable consequences, be added, as formerly stated, the loss of at least \$100 per annum sustained by the revenue, in consequence of the "fees for copies" of patented papers, not going as the law requires to the account of Clerk hire, a view of the subject will be presented, which I hope, for the honor of those now in



power as well as for the public interest, will never be realized.

Great pains and labor have been bestowed to bring the business of the Office from a state of confusion and irregularity, to that of order and system, which cannot be preserved without the change suggested; the business can then be conducted upon correct principles, justice will be done to the Government, system preserved, and duties performed in strict conformity with the Patent Laws.

I have the honor to be, Sir,

Your Obedt. Servant.

John D. Craig

Ed

JH

Washington, July 17th. 1833.

Hon^{ble} Louis McLane.

Sir,

Understanding that Dr. Craig has replied to the vindication of myself against his charges, & wishing for a full opportunity of knowing & answering every statement, I shall esteem it a favor if I can be furnished with a copy of Dr. Craig's reply to my statement, together with copies of all papers accompanying it.

With the greatest respect I am, Sir,

Your most Obedient Servant,

Chas. Bulfinch Junr.

Ed

JH

Patent Office, July 22^d. 1833.

Hon^{ble} Louis McLane.

Sir,

A copy of Dr. Craig's reply to my defence against his previous charges is received.

I consider it a matter of course that he should maintain the correctness of his former statement, & consequently, that he should deny that of mine.

For the accuracy, however, of my statement, I were happy to have it in my power to appeal, as Dr. Craig admits, to memoranda kept by me, in which I carefully noted down, daily, the amount of each days work as it was performed. These entries are as authentic as any merchant's accounts, the entries being made as my daily work was done; with no view to any special^{one}, but merely as matter of precaution, against any removal charges, like those presented to Hon. Mr. Van Buren, and which were set aside by him. These memoranda I shall be happy to exhibit to you if desired.

Dr. Craig asserts that I have "taken credit for much more time than was ever consumed in the performance of other duties than recording patents." I humbly conceive that this will not appear, when the time spent upon Parchment work for issuing new patents is considered, & upon which Dr. Craig is now totally silent.

Dr. Craig notices my item of "Letters copied for the office." This is but one & an unimportant item, among many others, accounting for the time spent, such as Labelling Models, Sundays, &c; upon this I lay no particular stress.

As to the amount of recording, there is no difference between Dr. Craig & myself; — he allows me 707 Patents, I claim no more.

The value of my recording, now allowed by Dr. Craig, is \$381.86 per annum: — in his former statement, he made it a little more than \$200, thus nearly doubling the amount in my favor.

But his entire want of fairness is evident, upon discussing his other silence as to the item Parchment work for issuing, done by me. While he notices the trivial matter of "Letters copied" & considers the Recording as the most important item to me in any defence, he totally omits all notice of what is really my most important point, upon which there is any dispute, viz. the Parchment work for issuing new patents.

In this item, he alluded to, in his former Statement, four months; but now passes it over in total silence, — whereas I can prove, by my memoranda, which are perfectly authentic, because made at the time the work was done, — that from May 1830 to April 1833, I was employed upon this sort of work 16 months & 19 days, in which time I copied 471 patents. To the above adding 600 months in 1829, May & June, as per my former Statement C, — nearly 19 months more spent on Patent work; — of all the time so spent, Dr. Craig takes no notice. The number of words in these patents, cannot be known, as they were sent off without being estimated; many of them however were very long.

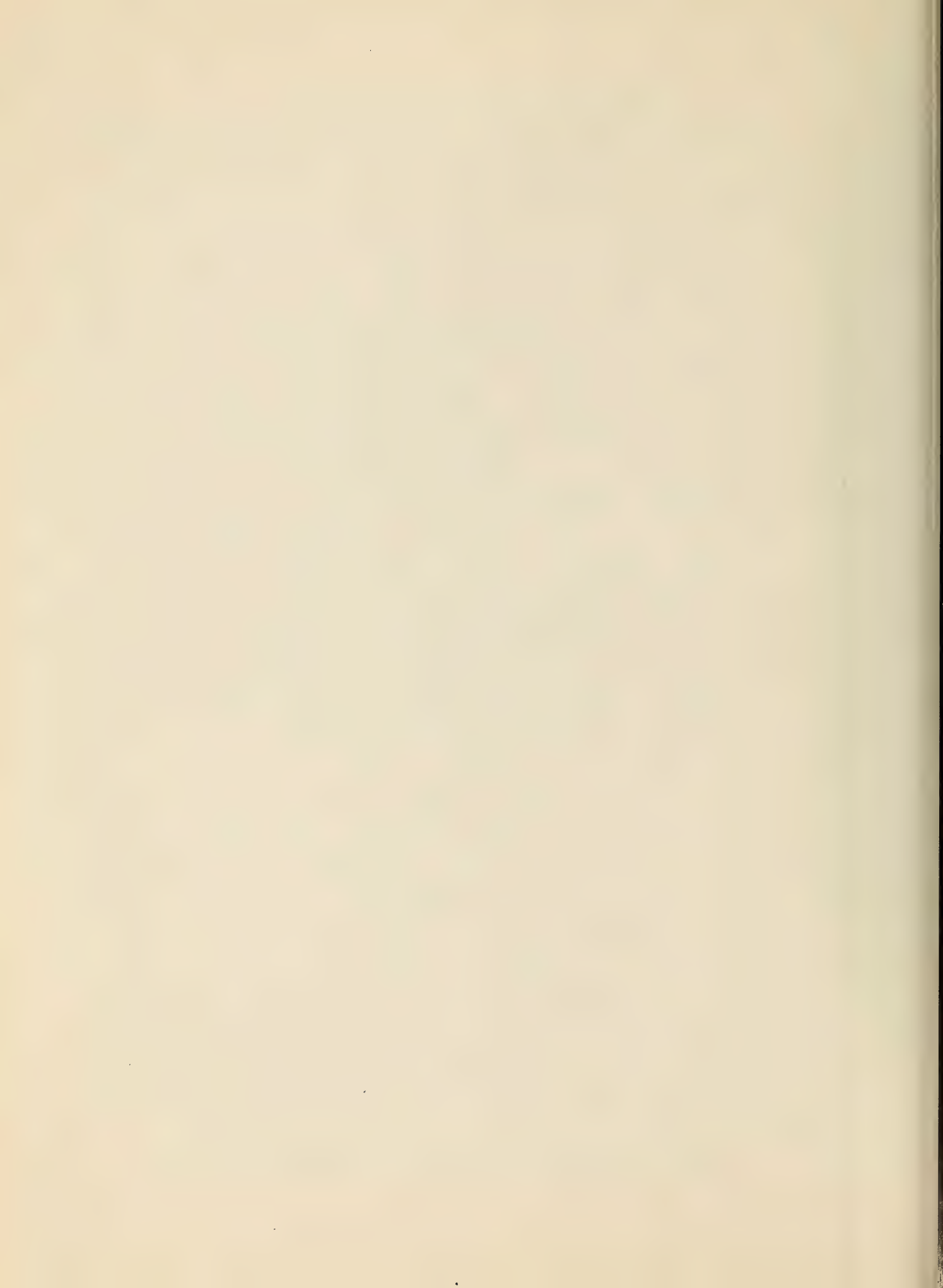
Patents recorded, as per my statement A. . . . 707 in days 686
 ditto copied for Indexing, as per Statement B. . . . 471 " 455
 Patents 1178 Days 1121

These 1121 days, with the various allowances for Labeling Models, Sundays, Holydays, &c. as mentioned in my former Statement C, will make the whole time spent by me in the office from March 1829 to June 11th 1833, viz. 8 years & 3 months.

I hope I have sufficiently answered Dr. Craig's charge of taking credit for much more time than was ever consumed in duties, other than recording.

Dr. Craig chooses to estimate my services at the rate of 15 cents per 100 words: — this was the rate fixed in the appropriations bill for the compensation of a number of Clerks who were temporarily employed in bringing up the back records, & was never intended to apply to Clerks receiving permanent salaries; & disavowing all intention of implying that less is to be expected from permanent than temporary Clerks, I would respectfully submit it, whether this rate should be applied to me, which is never applied to other salary officers; especially as I have often been engaged in miscellaneous duties.

Respectfully M^r. Intire and Walker, Clerks in the Patent Office.



have given a certificate stating that "I have not averaged more per day than the writing of two sides of a record book, each side containing 400 words more or less."

I am willing to hope as they assert, that they do this from no unkind feelings towards me; but I think they are mistaken in their view of the subject.

I will take for example, the Record Book, Vol. 2. I, which contains 558 pages. By my memorandum I find, I commenced this book April 6th 1832, and (with my substitute while I was absent on a journey who recorded 71 patents in 46 days — not more than I should have done in a like period,) I finished the volume in 209 days. 558 pages, written in 209 days, with average $2\frac{2}{3}$ pages per day.

I have the honor to be, Sir,

Your most humble servant,

Wm. Bullinck Jr.

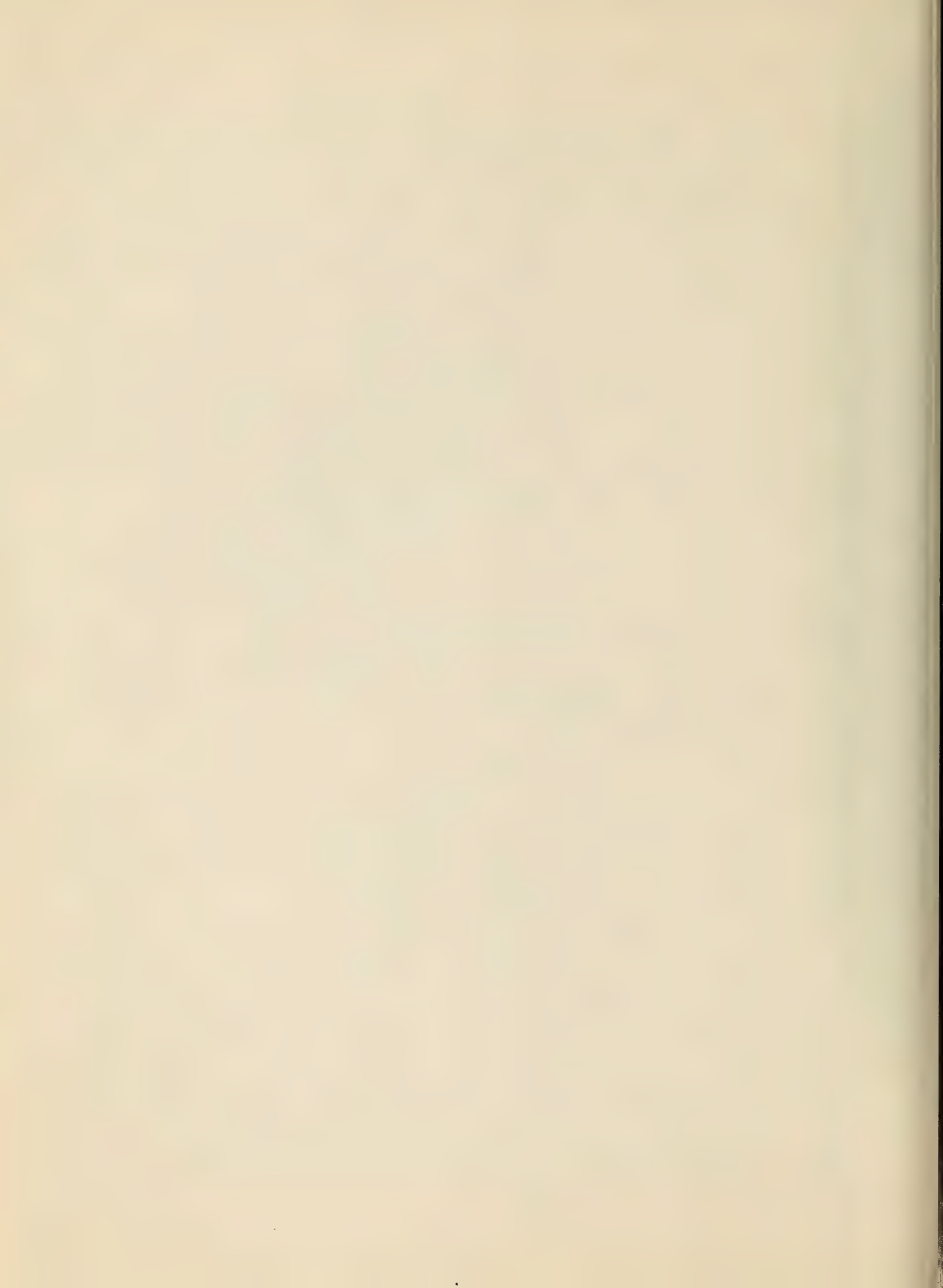
Sept: of State Patent Office
 Hon. Louis McLane,
 Secy. of State,

15th Aug. 1833.

Sir,

I have with transmit certain papers received this morning from Jas. Goulding, and as they present an entirely new case, I beg to be instructed relative to the issuing of a Patent as prayed for by said Goulding.

On the 25th of June 1824, Letters Patent were issued to Calvin Whiting, Saml. Lowder & Saml. Lowder for an improv^t to the Carding Machine; being a condensing Machine for forming the rolls of wool or cotton. — the last named Lowder dies, Saml. Lowder for himself and as Administrator of the deceased, assigns all interest in Patent, to Calvin Whiting, then Calvin Whiting as sole proprietor assigns his right to Jas. Goulding, — after which, it is discovered that the Patent right thus assigned is defective, the Assignee surrenders it,



and pays for a re-issue upon a corrected Specification, of Whiting & Lowrie's Patent or invention signed by himself and sworn to by no person.

If a man can purchase a defective title, & by his own ingenuity render it valid, will it not be in violation of that universal maxim, that a man shall not take advantage of his own wrong?

I would be pleased to receive instructions in this case, if it be decided that a patent can issue, upon the papers sent, particularly as regards the printed forms to be signed by the President, Secy of State & Att. Genl.

I have the honor to be, Sir,

Your obedient servant,

John D. Craig

Exo
JDK

Dept of State, Patent Office.

19th Sept: 1833.

Hon Lewis M. Linn

Secy of State

Sir,

I have just received a letter from the 5th Auditor of the Treasury, stating that my account as Supdt^r of the Patent Office, in relation to paying the contingent expenses of the same, has been adjusted and transmitted to the Comptroller of the Treasury, for his decision thereon, and that the result of the settlement is, a balance against me of \$510.16, in lieu of \$510.16cts, the balance due the U. S. as per my account rendered up to 30th June 1833. The sums paid to Henry Bishop (the Messinger) for copying letters from 30th June 1832 to 30th June 1833, constitute this difference, "which sums have been disallowed at the State Department."

I beg leave to state, that on the 1st of Oct: 1826, Mr. Clay, then Secy. of State, allowed the Messinger in this office \$100, (in addition to his salary as such) payable out of the Contingent Fund, for copying letters, which was also sanctioned by Mr. Van Buren, and such allowance was paid to the Messinger up to the first of July 1831 from which period Mr. Livingston, in consideration of the great increase in the business and correspondence of this office, made a further allowance, amounting to



2200 per annum, as per copy of a letter from Genl Brent Esq. which I
herewith transmit.

Under these circumstances I doubt not that the credits referred
to in my account and claimed by me will be allowed, and as
the messenger saves the time of a clerk, who cannot be spared to copy
letters, I respectfully suggest the propriety of permitting him to continue in
the performance of that duty, and to receive the allowance as heretofore.

I have the honor to be, Sir,

Yours obedient servant,

John D. Craig

Enc'd
JDC

(Copy)

Inc. Craig Esq.
Supt. of the Stat. Office

Dept. of State

Washington July 22, 1891

Sir,

I am directed by the Secretary to inform
you, as I take great pleasure in doing, that he wishes you to add one
hundred dollars to the annual allowance which is made to Bishop,
the Messenger of your office, for salary, counting from the first of this
month, in consideration of his being occasionally employed in copy-
ing for the Office.

I am &c.

(Signed) Daniel Brent

Enc'd
JDC

Dept. of State Pat. Office.

Oct. 15, 1893.

Chas. Louis Malone

Secy of State

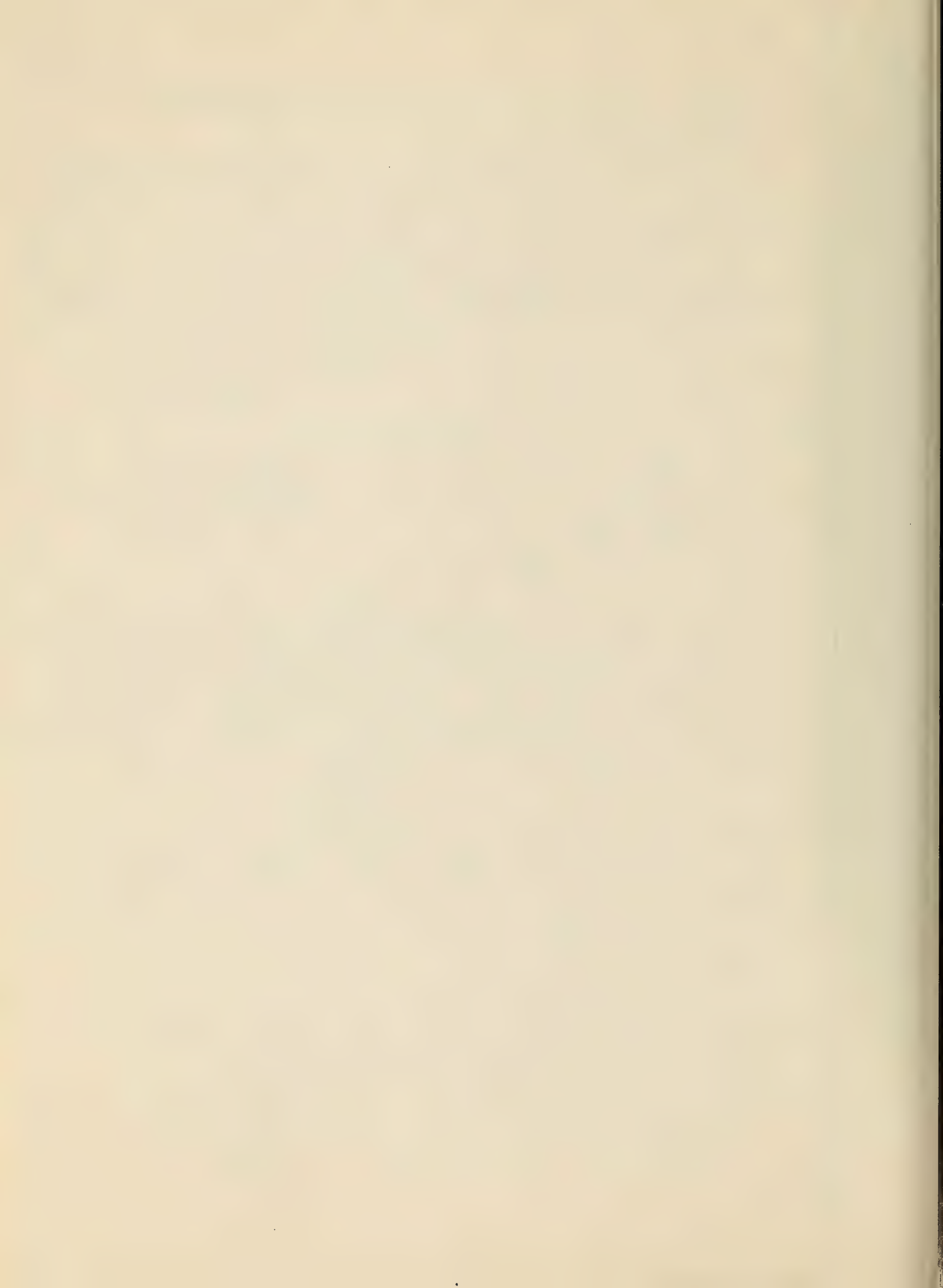
Sir,

I have the honor to transmit the names and places of birth
of the persons employed in this Office, viz.

John D. Craig, Superintendent born in Ireland.

Alfred McIntire Principal Clerk. " " Idemore (N. H.)

Samuel P. Walker " " " Ireland



Charles Ballinck Jr. " " Massachusetts
Chas. M. Heller " " Machinist " France
Henry Bishop " " Messenger " England

I am, Sir,

Your obedient servant,

John D. Craig

Ed
JDK

Dept. of State, Pat. Office

2nd Oct: 1833

Asbury Dickens Esq

Ch. Clk. Dept. of State

Sir,

I herewith transmit the above vouchers of the Dept. of this Office for expenditures on account of Contingent Expenses, and recording patents, for the quarter ending 30, June 1833.

I am, Sir, Your obedient servant,

Alex: McIntire Clark.

Ed
JDK

Dept. of State, Pat. Office,

15th Oct. 1833.

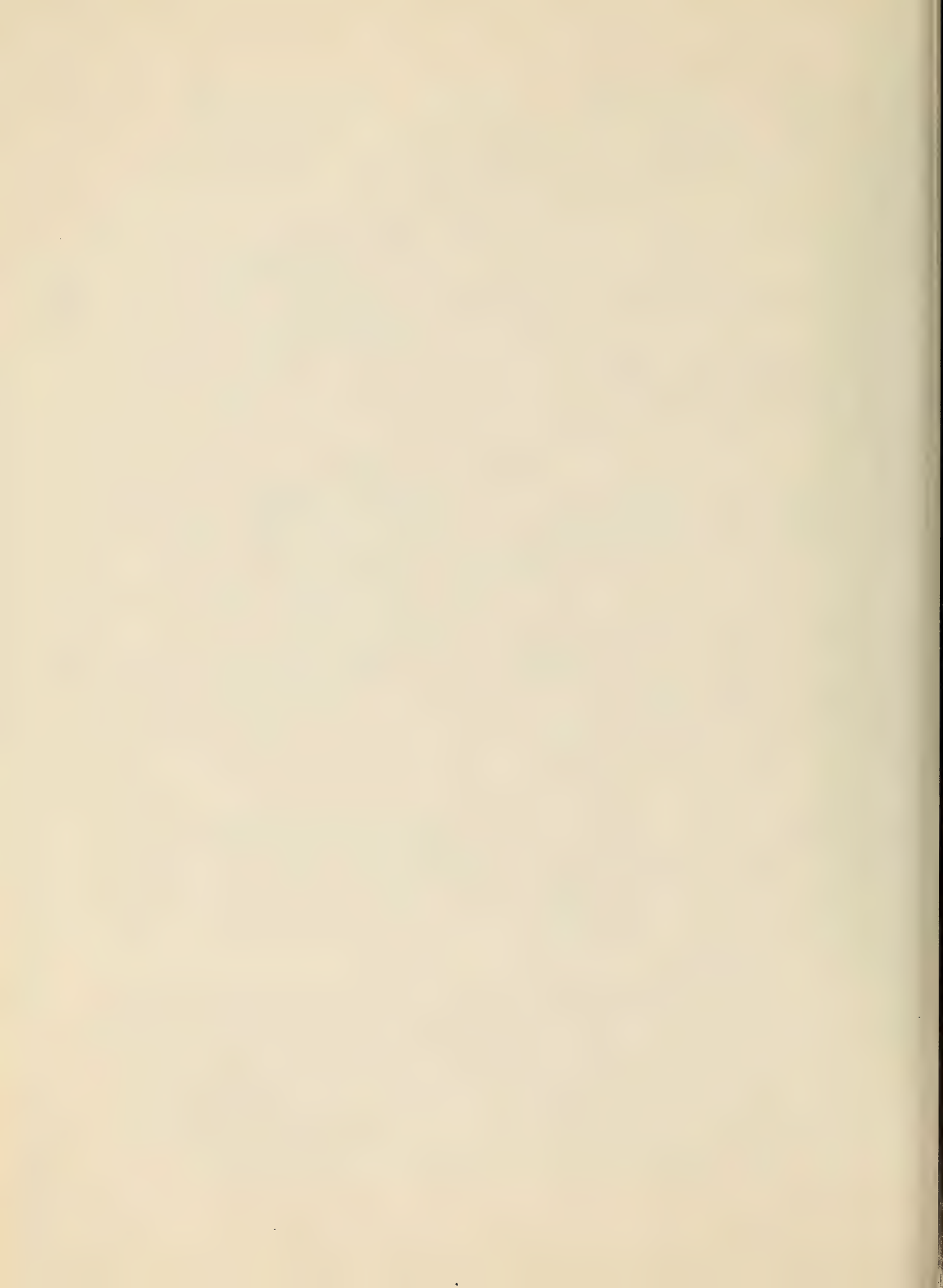
Hon: Lewis Willane

Secretary of State -

Sir,

I have the honor to acknowledge the receipt of a letter addressed to the Secretary of State by Mr. Bishop, the Messenger in this Office, and referred by the Secretary to the Superintendent for a report thereon. - In compliance therewith I beg leave to submit the following Report:

That the services performed by Mr. Bishop are far from being over-rated in said letter. It is confidently believed that his duties are double that of any other Messenger in the Dept. of State; and it can be made to appear by the testimony of the Rev. C. C. Brown, that he was engaged to furnish the double duties of Messenger and letter copier; for the former he was to receive \$50. & for the latter \$100. or more for a services; which agreement



was sanctioned by Mr. Van Buren, then Secy of State.

I cannot conclude without alluding to the unaccountable appearance the Office presents, one of its inmates permitted to enjoy a salary of \$2500, though his services are not worth one third of that sum; another not belonging to the office, permitted to pocket \$600 per annum, which by every law of Congress ought to be paid into the Treasury, though he is in the receipt of an ample income without it, while Mr. Bishop, who is of more use in the Office than both of them, who has a wife and five children to support, is deprived of one third part of his small income, stipulated for when he entered the office, & which he faithfully and steadily earns.

I have the honor to be, Sir,

Your Obedt. Servant,

John D. Craig

Ext 7
JJC

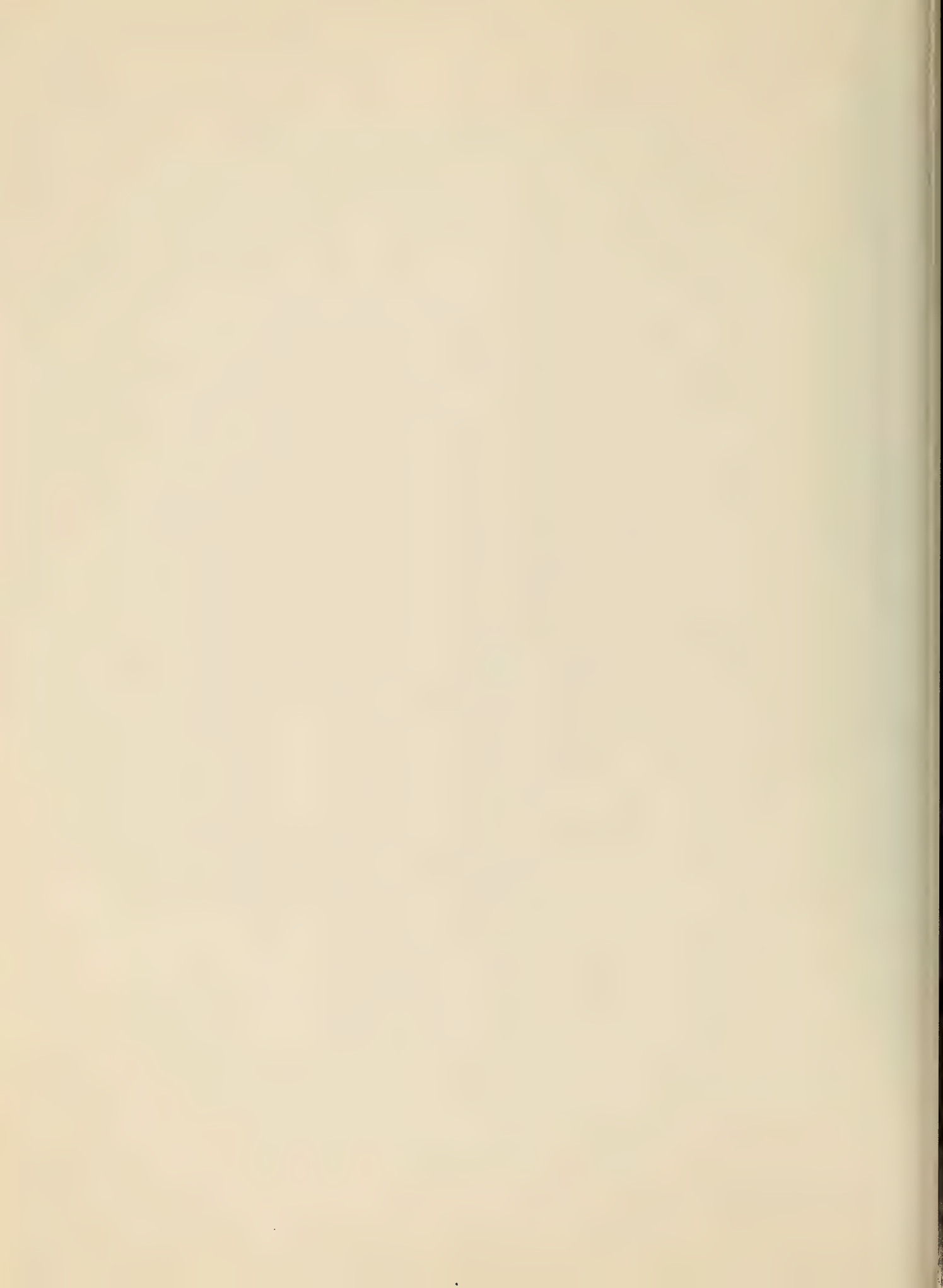
Washington Sept. 20th. 1833

Dear Sir,

Understanding that a difficulty has occurred respecting a certain compensation allowed me for recording letters in the Patent Office, I take the liberty respectfully to represent; that my salary as Messenger is \$400. a year the salaries in this Office were fixed by law, when the Office was first instituted the business at first was small, but has ever since been increasing with the growth of the Country in population. The salaries of the messengers, in most of the other Offices, is \$700 a year.

The Messenger in this Office had been allowed \$100. a year for several years for recording letters, in 1831 on representation being made to Mr. Livingston, of the great increase of business; all the correspondence of the office having to be recorded, consisting of frequently a dozen letters a day, & some times more; he kindly ordered another \$100 to be added to the previous allowance to be paid annually, which has been done ever since. In conclusion Sir, I take the liberty to state, that I have a large family having five children to bring up & educate & have to be very economical, but if the \$100. in question should be withheld,





it will be a very serious loss to my family.

With the greatest respect,

Esq. Hon. Louis McLane

Your obedient servant

SR Secretary of State.

Henry Bishop

Patent Office, Nov. 19, 1893.

Sir,

A volume of "American State Papers", Marked Public Lands, Vol. 1, is just received from the Dept. of State - It is the only one that has been received at this Office

Very Respectfully,

Esq. A. Dickins Esq. Dept. of State.

John D. Craig

SR

Washington, 23rd Nov. 1893.

Sir,

I have the honour to return Capt. Richards' letter which you referred to me, and in compliance with your request that I should state the circumstances to which he alludes of the refusal of the Superintendent of the Patent Office to give the information required on his behalf, I submit the following statement.

At the request of J. H. Richards of New York, I called at the Patent Office, on the morning of the 12th inst. to make some enquiries connected with an application he had made for a patent for tanning. From information he had received he was apprehensive that some one to whom he had confided his invention had applied for a patent. I mentioned these apprehensions to Dr. Craig, and asked him whether any one had obtained or applied for a patent for tanning in the same method. This information he refused, in a very rude manner, so rude as to put it out of my power to have any further intercourse with him.

I have the honor to be, very respectfully,

Esq. The Hon. Louis McLane,

Your obedient servant,

SR Secretary of State.

Francis A. Dickins

Dept of State Patent Office

December 9th 1833

Hon Louis McLane

Secy of State

Sir,

A letter from Mr. Geo. H. Richards to the Hon. Secretary of State, is received at this Office, with an inclosure, asking the Superintendent to state the reasons why the information referred to in that letter was refused? In answer to which I have the honor to state, that the information asked for, was such, as under a rule of the Office established at its commencement, could not be given, and since I came into office this rule has not been violated.

All unpublished papers on file in this office are considered private property, & as such they are held sacred. They are not seen by, nor their contents made known to any person without the order of the owner. In the present instance I was desired to state whether any other papers than those of Mr. Richards had lately been sent to the office on the subject of tanning, and if so, what was the person's name, who sent them: — and did they contain any improvements similar to those of Mr. Richards?

To have answered these questions, I would consider a violation of my oath of office, & certainly a violation of that trust and confidence reposed in me by every person who deposits in the office specifications of his improvements before he is ready to take out a Patent.

I have the honor to be, Sir,

Your obedient servant,

John D. Craig

Exd
JDC

Department of State,

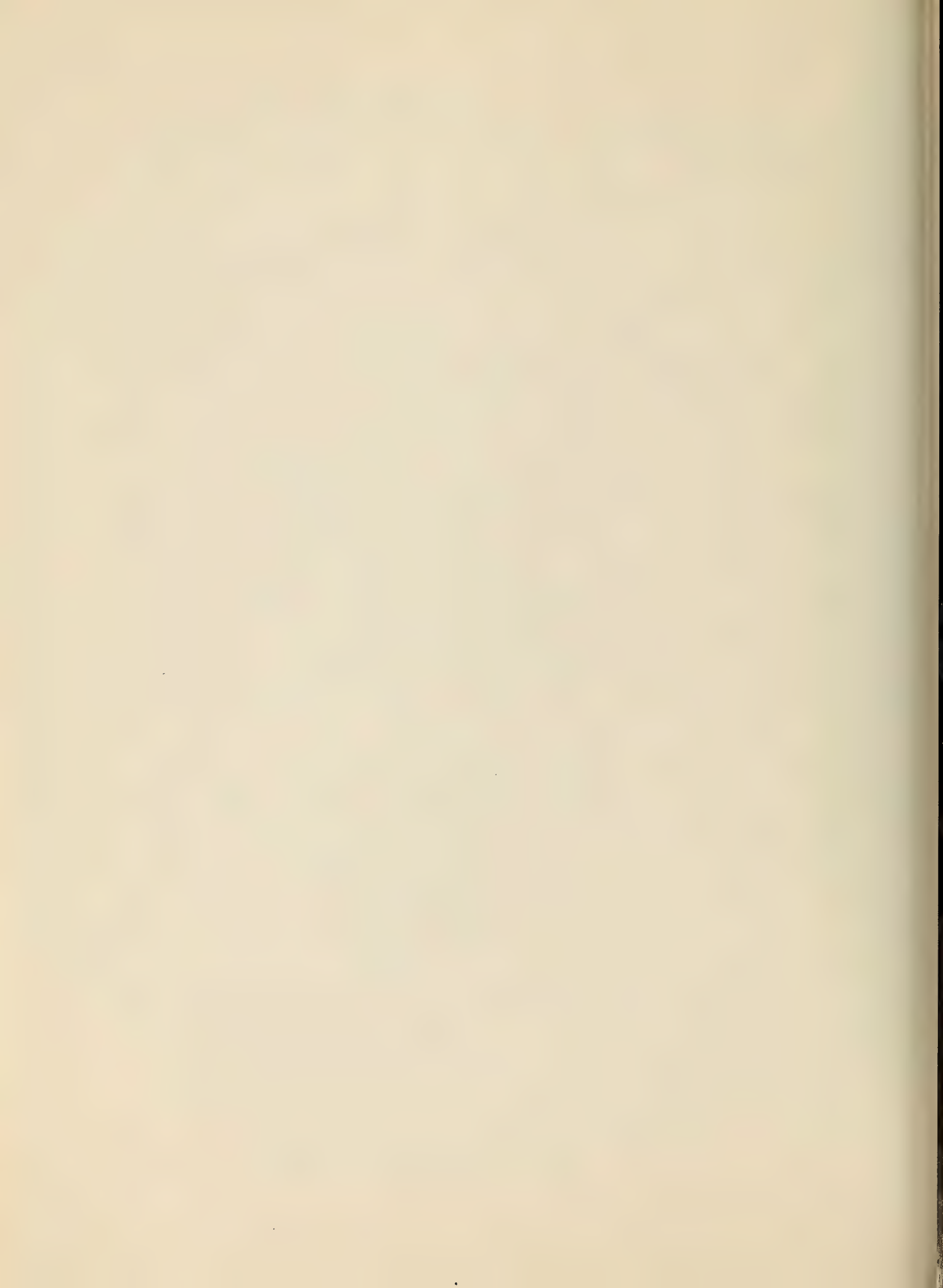
Patent Office Dec: 9th 1833.

Hon Louis McLane

Secretary of State

Sir,

It is a duty I owe to myself and the gov.



person employed in this Office, very respectfully to represent:—
That the compensation fixed by law to the Superintendent and
Clerks in the Patent Office is very inadequate to the duties performed
by them, and far less in proportion to their labor and responsibility,
than that in any other Office under Government.

I take the liberty to submit the following facts for your
consideration, as a justification for asking an increase of salaries:
The Patent Office, according to a report made by me as Superintendent,
in the year 1829, had, up to that time, yielded to the Government,
\$154,110, — since which, and up to the commencement of the present year,
the further sum of \$61,150, has been paid into the Treasury, making
a total amount of \$215,260, derived from Patent Fees; and for the
last four years, the average annual revenue from this Office has ex-
ceeded its expenses at least \$4,000 per annum.

Thus it appears, that there has been a great increase of re-
venue, and a still greater increase of labor & responsibility, — while the
compensation of those performing such heavy duties remains the same
that it was, when the business of the Office was not one fourth of
what it is now, and still increasing, as will appear by the report
to be made from this Office at the close of the present year.

I therefore hope Sir, under these circumstances, that you
will as an act of justice towards us, recommend, that the Super-
intendent and Clerks in the Patent Office be placed upon a
more respectable footing in point of compensation.

I have the honor to be Sir,

Your Obedient & Humble servant

John W. Craig

Washington, Sept. 11th. 1832.

To the Hon. Lewis M. Linn
Secretary of State of the United States.

Sir,

I was indeed exceedingly sorry to be unable

you again on my affairs; but a direct violation, both in spirit and fact, of the arrangement entered into, about a month ago, respecting my employment in the Patent Office, excepted, one.

You determined on my being deprived of my office of making copies of papers and drawings for the Office, that I should be allowed to retain my table in the Office, as formerly; & to make the original drawings, &c. required by applicants for patents, of their machines; and with which the Office had nothing to do. And to enjoy this privilege I declined applying for the vacant Clerkship caused by the removal of Mr. Bullfinch: Knowing that had I accepted the office I should have been deprived of the right to make original drawings for individuals.

Mr. Slizer, from Baltimore, (a gentleman who understands drawing), was appointed a clerk, with a salary of \$100.00 per ann. to fill the vacancy. But he is hardly become known in the Office: till he begins to execute original drawings for applicants for patents, directly interfering with my business. Now, this is not only contrary to the classification law of Clerks passed in 1818, (which says each Clerk shall receive his fixed salary and no more) but contrary to the usage of office, and what was never deemed to done by a salary Clerk before.

Hence, therefore, it is considered that this gentleman is paid by his salary for his whole time, he can have none to spare, in which to make drawings for Individuals: besides how could I compete with one in the same business who receives a salary: he could very well afford to do his work for one half the price which I can. When this circumstance is considered, as well as the arrangement made with Mr. Thomas Barron, and my coming from Europe, in consequence of this arrangement, I hope you will give directions to the Superintendent of the Patent Office, requiring that your former order be fulfilled in spirit: and that no one in the office be allowed to interfere with my

business with the public.

I have the honor to be

Your much obliged and obedient servant

William P. Elliot.

Washington December 12th 1853.

To the Hon. Louis McLane,

Secretary of State,

of the United States,

Sir,

I do not know what apology to offer for a grievous troubling you:—nothing but the urgency of the case can apologize for me. What may appear a trifle to others is of importance to me:—my livelihood depends on your decision.

This morning, without the smallest provocation on my part, Dr. Craig, Superintendent of the Patent Office, ordered me to give up my table and place to Mr. Steiger; for no other reason that I was acquainted with, than having sent my letter of yesterday to you, complaining of Mr. Steiger's interfering with my private business. I informed him in a respectful manner that I should not leave without your order: he then called me "an ungrateful rascal", with other abusive epithets. Had it not been for the respect I owe you and the Office of which you are the head, this gross insult would not have gone unresisted. I have been attached to the Patent Office for more than 18 years:—have always done my duty without ever giving the smallest offence to the Superintendent: and the manner in which I have done my business has received the approbation in the House of Representatives, by one of its most distinguished members: even Dr. C. has himself spoken highly of me; but now, because I will not suffer him quietly to deprive me of my bread, I am to be abused,—and to make out to make way for a favorite pupil of

127
his. I know you will not suffer such injustices. --

I have the honor to be, your much
obliged and obedient servant,

William P. Elliot.

Exd 7

JPK

Patent Office, Dec. 12, 1833.

Sir,

The "drawing table" in this Office has been occupied by Mr. Elliot for several years, though he has no claim to it. It is now wanted for Mr. Stiger, to execute copies of drawings for such as call for them: but Mr. E. says he will not give it up, or leave the Office, unless ordered by the Secretary of State. On this subject I have called twice at the Department of State; but had not the pleasure of seeing the Secretary.

With great Respect

John D. Craig

Hon. Louis McLane.

Secretary of State.

Exd 7

JPK

Dept. of State, Pat. Office

Dec. 17. 1833.

Hon. Louis McLane.

Secretary of State

Sir,

I had the honor this morning to receive your letter of yesterday, transmitting a copy of certain charges filed against me by Wm P. Elliot.

As an unqualified denial of them on my part, would not be evidence that they are false & vexatious, it is due to me, that an investigation may be instituted, by which means Wm P. Elliot may be confronted with the evidence ^{he says} he is prepared to adduce in support of his allegations. I respectfully request that the Hon. Secy. of State will order a full & free investigation in the case.

Very Respectfully Your Obedt. Servant,
John D. Craig.

Exd 7

JPK



Dep't. of State Pat. Office

Dec. 18th. 1833.

Hon. Lewis A. Jones,
Secretary of State.

Sir,

I had the honor this morning to receive your letter requiring further & specific information relating to the correspondence of Mr. Geo. H. Richards;— viz. "I will be glad to be informed, by what authority, and for what objects, unpublished papers were deposited & received on file in the Patent Office; and, also, for what purpose, the papers referred to by Mr. Richards, if any, such were received, were deposited."

In answer, I respectfully state, that the right of persons to send papers to be filed in this Office, for their own future use and protection, previous to their being prepared to take out Letters Patent, has never been questioned; and upon the receipt of them, there has not been, nor can I conceive, any objection, to placing them on file;— the object as I understood it, is, that they are so deposited for safe keeping— to show the time of the invention or discovery, — and to indicate the intention of the inventor to take out a Patent at a subsequent period; No such papers as were referred to by Mr. Richards were received. Patented papers are always exhibited to all persons applying for them, and if copies of those are required, it matters not, for what purpose, they are invariably and immediately furnished.

"You will, please, also, to state the actual condition of Mr. Richards' application, and, at the same time, to communicate a copy of the rules to which you have referred, and, also, inform me in what particulars you would have violated your oath of Office &c."

I respectfully answer, that the actual condition of Mr. Richards' application, at the time the enquiry was made, thro' another person, was, that all the requisites of the law had been com-



plied with, his patent prepared, and the Attorney General of the United States, being absent, his signature could not be obtained until yesterday, and this day the Patent was returned by him, and mailed to Mr. Richards at New York. The rule to which I referred is not a written rule, but to show the rule, or rather the usage, from the time of the first Superintendent, I submit the following extract (one amongst many that can be shown by the Letter Book) from a letter addressed to Elizabeth Harrington, dated Oct 26th, 1822, - Extract "Your papers with the invention will be kept secret until you think proper to publish them". Deeming it my duty therefore, according to the usage of this office, to keep inviolate unpatented papers, in doing otherwise, I should have violated the Oath of Office, which requires of me "faithfully to discharge the duties of Superintendent of the Patent Office, to the best of my skill & ability. All which I have the honor to submit".

I am, Sir, Your obedient servant,

John D. Craig

Enc
J.D.C.

Washington Dec. 19th, 1853.

To William P. Elliot,

Sir,

In reply to yours of the 19th instant, I have only a simple statement to make.

I destroyed certain letters which had been placed on file in the Patent Office by Dr. Houghton.

As well as I can recollect, they were generally letters enclosing or accompanying specifications, or asking for information, and were said to be of no use.

I burnt them by no will of my own, but by the orders of Mr. McIntire, believing at the time that his orders were the orders of Dr. Craig.

Very respectfully Yours &c. Wm. G. Crocker

Enc
W.G.C.



Dept of State Pat: Office

Dec: 21st 1833.

Hon. Louis Allome
Secretary of State.

Sir,

I had the honor this morning to receive your letter of yesterday requesting a copy of a letter from which an extract was taken also that to which it was a reply: and, also, to be informed, "whether it is not usual, for persons depositing unpatented papers, to state the object of placing them on file; and what is the practice of the Office in regard to unpatented papers since the letter of 24th October 1832."

In obedience to your request, I herewith transmit the copies required; and beg leave to state, that it is usual for persons depositing papers in this Office, to state the object of placing them on file. The practice of the Office in regard to unpatented papers since Oct: 1822, has been in accordance with the 24th Article of the printed circular, which, at different periods was submitted to, and sanctioned by, the respective Secretaries of State: The Hon. Edward Livingston, the Hon. Martin Van Buren, and the Hon. Louis Allome. I respectfully refer you, Sir, to the 20th & 24th Sections of the printed circular accompanying this letter.

I am Sir, very Respectfully,

Your Obedient Servant

John D. Lewis

Patent Office, Dec 23, 1833.

To the Hon. Louis Allome,
Secretary of State.

Sir,

Last October I sent you a petition, requesting you to recommend in your report to



Congress on the estimate of your Dept. that my salary might be raised, from its present amount of \$200 per annum to that of the other Messengers viz \$700 per annum.

Uncertain whether or not it has met your approbation, I have taken the liberty to call upon you in person, and most respectfully to solicit that you will grant my request. I am entirely unable to support my family on my present salary. I hope you will not be offended at the liberty I have taken as my only resource is in yourself.

With great Respect Yours Obedient Son

Henry Bishop

Ed
HB

To the Hon. Louis McLane,

Patent Office, Oct. 9, 1833.

Secretary of State,

of the United States,

Sir,

Having received notice that the two hundred dollars allowance now for copying letters, is not hereafter to be paid. I beg leave most respectfully to state, the circumstances attending this matter, that you may be enabled to judge of the hardship I & my family will suffer by this deprivation.

My duties are to have the charge of clearing of the Office; make fines; carry the money of Patents to the Bank; Patents to the Office of the Attorney General; and then to the State Department to be sealed; attend on the Superintendent & perform all his orders; with many other particulars which I will not relate; these duties in our office, like the patent office, are sufficiently arduous for every one to perform; and for which I receive only four hundred dollars per annum: this sum I find too small to support a wife & five children: I therefore performed extra duty with a view to receive 200

dollars when paid; and this is barely sufficient to give my family a decent support.

Within the last twenty years the business of the Office has greatly increased: at first about 200 patents were issued yearly, now there are between 5 & 600: then there was only one clock, & one Mechanist. Now there are four and a Mechanist. The business of the Office seems to increase with the population of the Country.

I hope therefore, if it shall be deemed improper to pay me for my extra services, you will please to do me the kindness, in your next report to Congress, on the expenses of the Department of State, to recommend that my salary be raised to that of other Messengers in all the Departments, viz. 700 Dollars per annum: - and you will forever receive the grateful thanks of

Your most Obedient Servant

Henry Bishop.

Ex-
H.B.

Patent Office, Dec. 24, 1833.

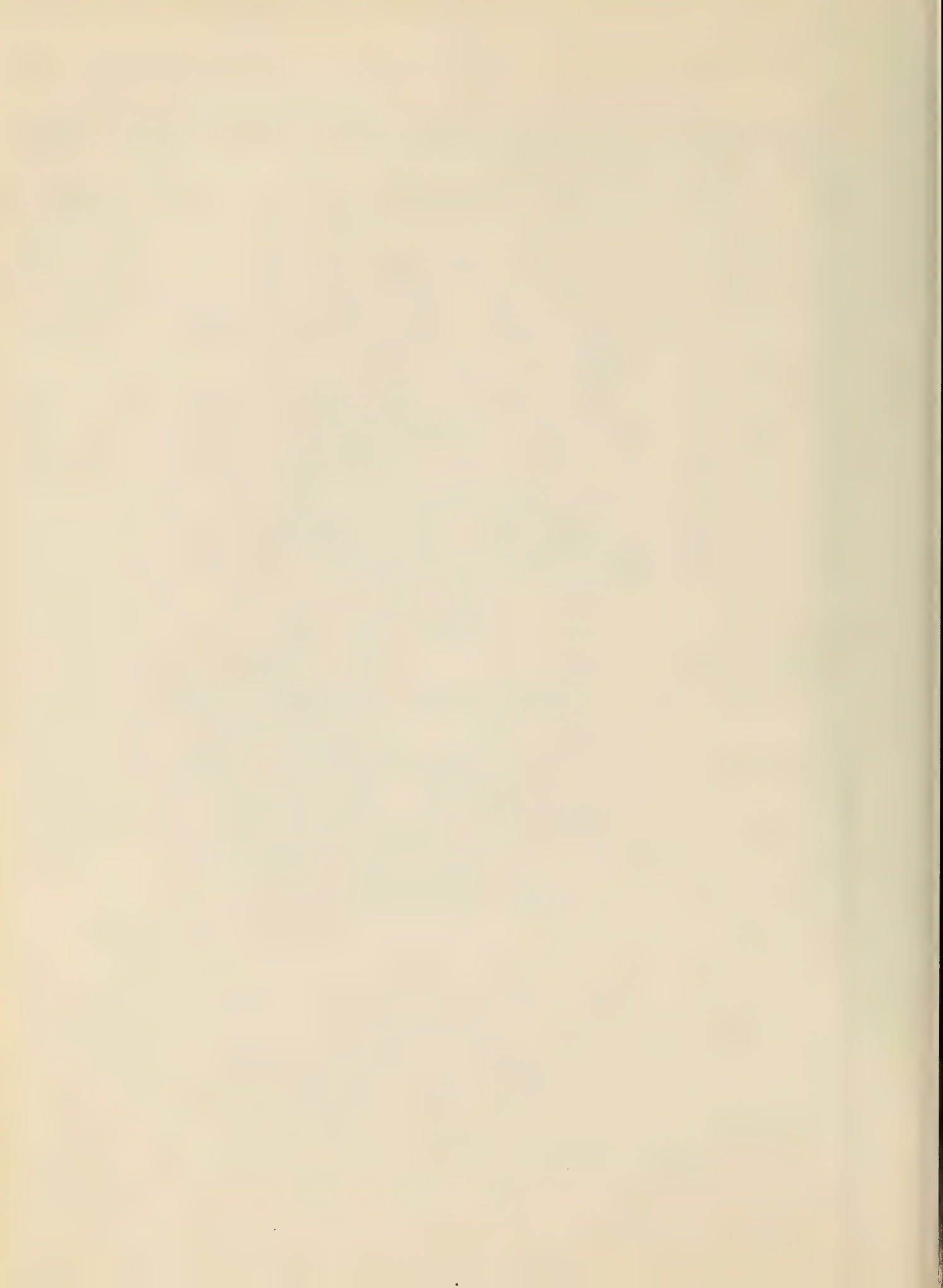
The Superintendent of the Patent Office presents his respects to the Secretary of State, with the inclosed letter of George H.

Richards. It was to have been returned with the answers it called forth, but was omitted by some oversight.

New York, Nov 17, 1833.

Sir,

I am constrained to appeal to you in behalf of my rights, in consequence of the very rude and ungentlemanly behaviour of your Superintendent of the Patent Office toward a gentleman, Francis A. Dickens Esq., whom I had authorized & requested to make enquiries at the Patent Office, whether there were any conflicting claims filed in that Office against my application



for a patent for a new mode of burning leather by means of a vacuum or Exhausted Receiver.

For the security of the public, as well as for my own, I am desirous of ascertaining whether such conflicting claims have been filed? from whom? and at what times, within the last twelve months?

Permit me to add, in this place, that I presume the Patent Office is designed by law for the advantage & convenience of the public; but, from the sagged manner of the present incumbent, he appears to consider the Office as instituted for his private benefit, and to be rightfully subject to his arbitrary will & caprice.

From your former polite & kind attention to my correspondence, whilst you were our Envoy at London, and from my knowledge of your character, I doubt not that you will cause to be rendered, promptly, to me or to my friend in this business, all the information which I may rightfully require.

I have the honor to be with sentiments
of the highest respect, Sir.

To the Hon. Louis McLane,
Secretary of State,
Washington.

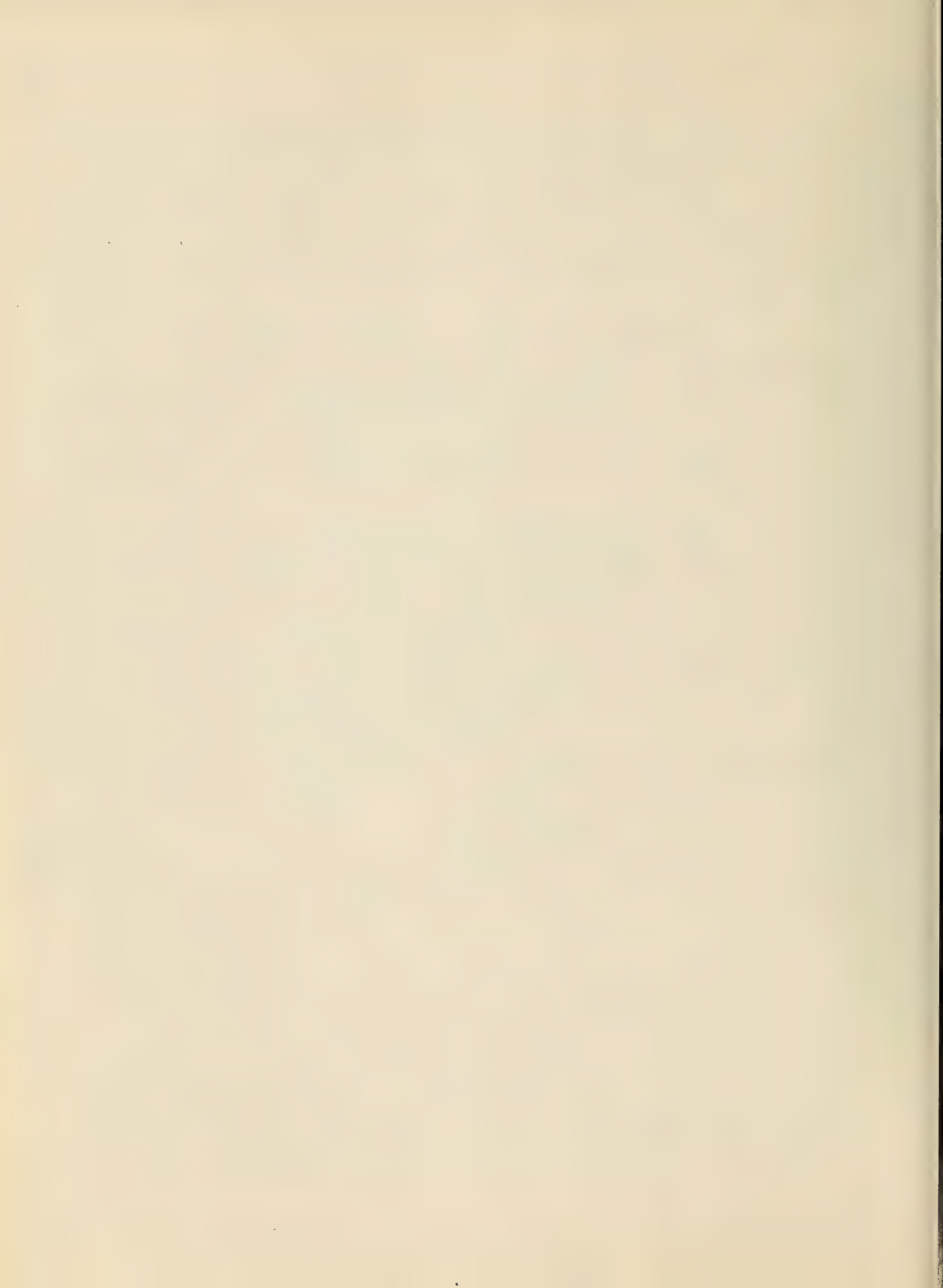
Your Obedt. Servant,
George H. Richards.

Geo
H. R.

Dept. of State, Patent Office
1st January, 1834.

The Superintendent of the Patent Office has the honor to submit to the Secretary of State the following
Report;

The number of Patents that expired during the last year was 157; and the number issued during the same period 586. The corresponding amount of fees paid into the Treasury was \$17,580



(over) \$17.580

Which with the amount received for
copies of Patented papers, and the record-
ing of assignments paid to the account of
Clerk hire in the Department of State

130.77

Make \$17,710.77

Mean time the whole expense of this
Office for Clerk hire & contingencies was

7.575

Leaving in the Treasury for the year
1853, a balance of

\$10,135.77

In consequence of the great increase of applications
for Patents, the labor of the Office has become so onerous, that
unless additional aid is allotted to it, it will be impossible
to dispatch the current business in due time; litigation
on patent claims has become so prevalent, that one Clerk
is almost constantly employed in making out copies of
drawings and patented patented papers.

It is believed, that the framers of the Patent Laws,
never intended the Office to be a source of revenue; Yet,
it has paid into the Treasury of the United States, more than
one hundred and ten thousand dollars beyond its ex-
penses to the Government. A sum, fully adequate to erect
a suitable fire proof building for the establishment: af-
ford sufficient aid to carry on its business; and to allow
a just compensation to those who perform the labor; which
is not now the case.

All which is respectfully submitted.

John D. Craig

xe
3/16

Secret Office, July 2^d 1834.

Sir,

As you are now appointed a Clerk in this Office, I think it necessary, candidly to inform you, of what character I understand you bear in Washington; and I have it from the President, that he has had similar information on this subject, though he is not inclined to believe it true, & I sincerely hope it is not.

You are represented, as a man of disagreeable temper and constantly endeavouring, to undermine and supplant others in the Offices in which you have been. You are also stated to be a very inferior Clerk, such are the common reports in this City, and I have it in charge from the President to inform him minutely how far such character or any part of it, shall prove to be true, and he has assured me, that your stay in the Office will depend upon your conduct, contradicting said reports.

With regard to the duties of the Office, they are both important and laborious, and require both talents and attention, the hours of attendance throughout the year are from 9 to 3 O'clock, and no encouragement to visitors except on the business of the Office, is to be given to any person, or any conversation permitted with visitors, except on subjects of the same kind, and it is an inviolable rule, that no one belonging to the Office, shall absent himself or leave the Office, during Office hours, without permission.

Thus with perfect candour & good feelings to avoid future misunderstanding; have I, made this communication.

I am,

Yours humble servant

John D. Craig

To Doct. Mayo.

Ed-
JDK

Washington, July 3, 1854.

Dr. Mayo feels himself in duty bound to submit to the President the enclosed letter from Dr. Craig. At the same time, Dr. M. cannot refrain from remarking how utterly he was astounded at so uncalculated for an attempt to wound his feelings and his honor, at the moment of his induction into office, to which he had been appointed, by the Secretary of State, with the avowed approbation and confidence of the President.

Dr. M. would most respectfully submit to the consideration of the President, whether it be not a reasonable request, either that an investigation of these charges be instituted, or that the letter of Dr. Craig be ordered to be expunged from the files of the Office.

It is but too manifest, that to accept office under such dark imputations, of dishonor, accompanied, too, with a quarrelsome detail of other specifications of office, so novel, & I might say unassumed, would be to take part in fixing the stamp of that dishonor, and loading the wounded spirit with such oppression, as would drive his soul in disgust from his body.

Yours very respectful, &
Obedient servant
Chas. Mayo.

Ed.
P.M.

To the President U.S.

Washington Nov. 18th, 1834.

Dear John Forsyth,

Secretary of State,

Sir,

Every principle of honor & self respect call upon me to lay the enclosed note before you. You will perceive, that it contains an implied charge, either that I neglect my duties, by absending myself from office, or that I contemplate doing so, hereafter - neither of which is true.

Almost daily, for nearly five months since my appointment, I have been in attendance at the office, as early as eight o'clock in the morning, and I believe never later than half past eight, being always the first clock in the office, except in some instances Dr. Craig is there a few minutes before me: and almost as uniform by am I the last to leave the office except Mr. Steiger, who frequently remains after office hours. This statement can be established by the Messengers, Mr. Bishop, whose constant presence at convening & adjourning makes him acquainted in detail; while it can also be established in chief, by Dr. Craig himself, and every other person about the office. And whilst in Office, I am committing in my duties, except at intervals when I have worked out of materials & there is nothing left to go upon - which has been the case, at short intervals, nearly every day, the last week. On one of those occasions I went up to the Dept. of State, to see Mr. Dickins, and moreover, I called to see the Secretary of State. On Saturday, the date of the enclosed note, I was at the office at 8 o'clock. In the course of that morning, there being nothing before me to do, and having important demands to step out for a few minutes, about 12 o'clock, I did so, and was out about half an hour.

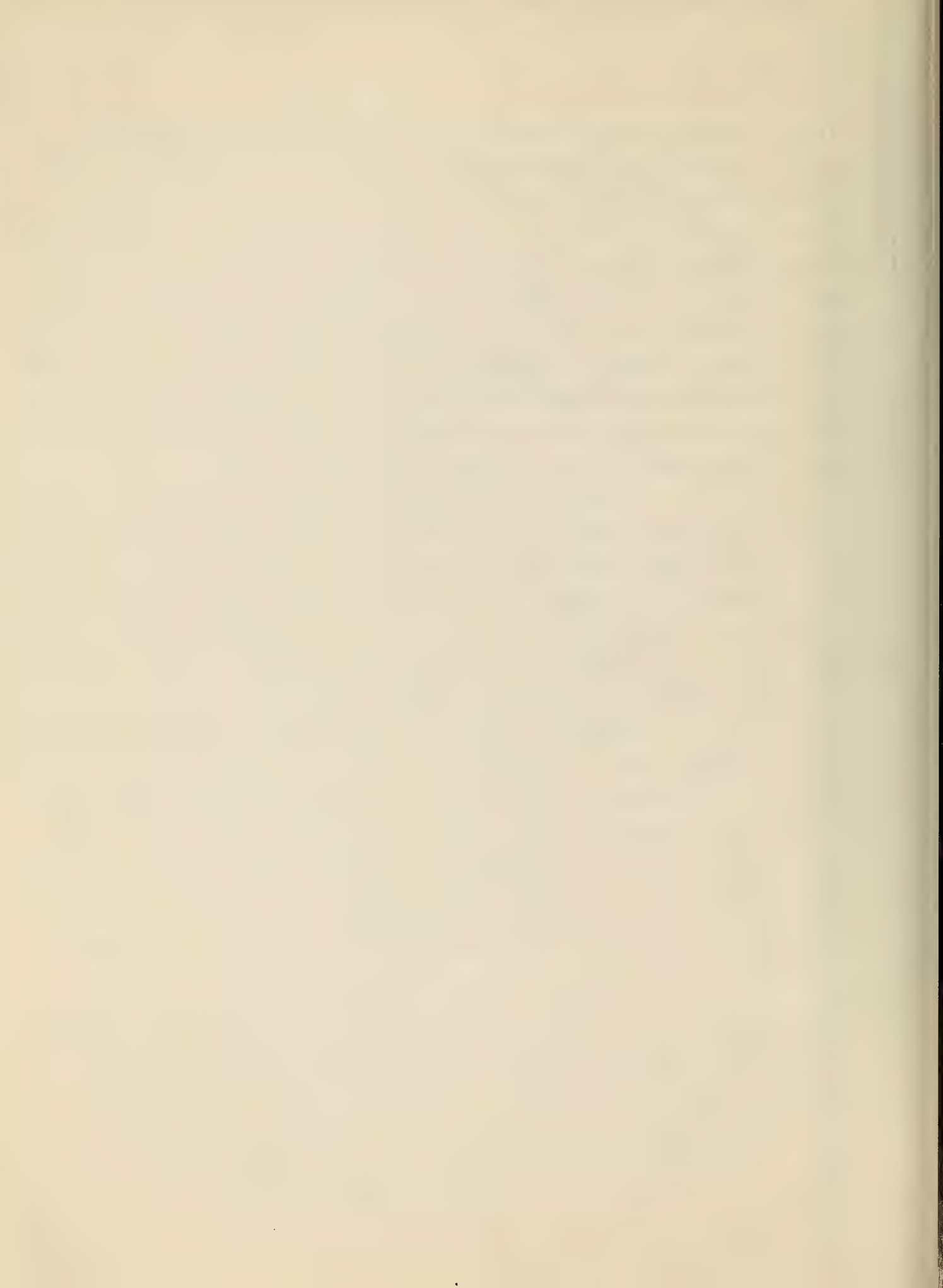


In fine, to draw up the whole of my absence from Office, for four months and a half, though in bad health a great part of the time, I am confident it will not amount to one day, whereas, the average of an hour before time every morning, would set to the credit of my official zeal, but little short of 16 days gratuitous attendance. On the other hand, it is well known that Mr. McIntire scarcely ever came to this Office before ten o'clock, and as uniformly withdrew at 2 o'clock after 2 o'clock. Also each of the other Clerks & the Marshmist have been absent from days to weeks at a time, in the course of the time that I have been thus indefatigable in my attendance, sick or well.

Taking this renewed attack on my feelings & officially department, in connection with Dr. Craig's letter to me of the 3^d July, detailing anonymous scandals, of me, in disregard of the avowed disbelief of the President in those imputations which Dr. Craig was urging them against my appointment, I cannot but see in it the most conclusive evidence of pre-determined injustice & wanton personality.

Whether any more motive has prompted Dr. C. to this renewed manifestation of his harsh feelings towards me, or whether it be only an additional evidence of a settled quarrelsome temperament, my mind is somewhat at a loss to conjecture; but that it is to be attributed to ^{me} or both these causes, the Secretary of State will be able to form some estimate for himself, from the following facts, in part, of many that could be adduced.

On one occasion, I have been under the necessity of declining to copy a specification, for which a patent was ordered to be issued by Dr. Craig, on the ground that it was deficient in legal form, not having the signature of the petitioner nor witnessed. On another occasion, I remarked, upon making a copy of a specification, that I



could not qualify to its being a true copy, as I did not believe any two persons would give it the same reading if they could make it out at all, so equivocally was it written, composed, spelled, erased, & amended. Also, early last week, I was required by a message from Dr. Craig, to amend the specification of a patent that had been issued to a Mr. Kelly, which I declined doing, stating to Mr. Kelly that his only remedy, to amend a defective specification after Patent is issued, was to take out a new patent; which has been done so far as relates to the action of this Office, but the patent is detained at the Attorney General's Office, for want the Treasury recd. Still more recently, on Thursday or Friday last, I declined making corrections in the orthography, grammar, punctuation, &c. in two specifications for patents issued to a Mr. Tompkins of Alabama, one of which has been in the office more than a year, and both of them written in such incoherent phrases, as to be entirely unintelligible, and only of a parallel with the incoherent jargon that is to be heard in the cells of a lunatic hospital. When the examiner found I had declined making these corrections, he reported the copy to Dr. Craig, who acquiesced in the copy, but the patents were issued. On a recent occasion, a Mr. Shaw, who is now in the City, being in attendance to procure a patent, exhibited to me his drawings which he informed me, were executed by Mr. Keller, for which he paid him three dollars; upon which I remarked to him that I was surprised at that, as it was an infraction of law & rules of Office, to do so. Other instances of this sort have occurred, and as the work has to pass through the Superintendent's hands, it may have been in his power to recognize the style & manner of the artists, with which he has before had opportunities to become familiar. Since it became known in the Office that I have become acquainted with these facts,



may render it desirable to embarrass my official relations as much as possible.

As to the occurrences arising out of the general temperament of Dr. Craig, it would be a work of supererogation to give more instances. However, I may give one or two — A Mr. Ross from Richmond Va was on a visit a few weeks ago, on patent business. He told me that Dr. Craig's conduct to him was so violent, that it was as much as he could do, to refrain from personal resentment in the office notwithstanding his age. This may pass for a sample of the instances that could be stated, of which a recent denial of official information to a gentleman of this city might be regarded of nearly equal enormity. I allude to a visit of Wm P. Elliott on Saturday last — to whose enquiries for information in relation to the patent business of some of his correspondents, all answer was refused both by Dr. Craig & Mr. Steiger. Whether any personalities of feeling between those gentlemen on account of private griefs on either side should exclude a citizen from official intercourse, I apprehend can hardly be made a question. Nor can I appreciate by conjecture, any process of reasoning, by which Dr. Craig can justify himself, on account of what, I know not, in the double wrong of withholding all official courtesy, and embracing illfounded pretenses to cast indirect censure on a zealous discharge of duties, certainly unwarranted, because there is no arrears, but much gratuitous attendance given.

I wish, if possible, to avoid presenting these matters to the Hon. Secretary of State as formal complaints and accusations; in that sense however they are entirely at his option, as the proofs are at hand in relation to violation of orders &c; and in relation to the notes addressed to me, I could as easily have done any other disrespectful act, as



as to have passed there, in passive subjection to their stigma. It would be but to plant in my breast an eternal consciousness, & grating recollection, that however I came here as a free and independent citizen, there is evidence on the records of one of the most important Offices of the Republic, and which has been under the management (if not mismanagement of foreigners worse the foundation of the govern't) that my spirit is broken, & handcuffed, as a slave, by the least meritorious of them all. I need not repeat a just desire that these documents (marrying the character of official - the garb they have improperly put on) be stricken from the records. The Hon. Secretary of State has within his own breast that sense of right which I am sure will stand me in stead of this request. —

Most respectfully,

Ro. Mayo.

Ed
JH

Patent Office Nov. 15, 1834.

Mr. Mayo will please to recollect, that no person belonging to this Office, is to absent himself from it during Office hours, without permission.

J. D. Craig

Ed
JH

Patent Office January 7th 1835.

Honorable John Forsyth,
Secretary of State,

Sir,

When the President informed me that Dr. Mayo would be appointed a Clerk, in this Office; he desired that I should state occasionally how he (the Dr.) conducted himself, and performed the duties assigned to him. — In compliance with which injunction, I now beg leave to state the following facts: —



One of the rules and regulations from the Department of State is, that no person belonging to this Office shall absent himself during office hours, without permission; yet Dr. M. has been oftener absent than all others belonging to the Office; and that without ever asking permission; or even notifying his intention to be absent. No matter what the pressure of business may be, he walks off at any hour, & returns or not during the day just as he thinks proper; So say nothing of such an example in a public Office; one consequence is that there is no certainty when any work put into his hands will be finished, and Mr. Johns has to be taken from his regular employment to perform what should have been done by the other.

How far his productive labour while in the Office will compensate for his absence, will appear by the following Statement of his performance during the six months he has been in the Office.

Viz.	In July he wrote	29,852 lbs.
	August	37,268 "
	September	39,688 "
	October,	48,134 "
	November	47,210 "
	December	53,761 "
	Total in six months,	255,913 "

Which at 12½ Cents per hundred, the price fixed by Congress would amount to \$319.89 or \$639.78 per annum.

It would appear from the charges lately brought against this Office, by W. P. Elliot, that Dr. Mayo has been performing the part of an Idiot for that gentleman:— If so, he is welcome to all the honor of that employment;— It also appears from the public papers, that he has petitioned for the benefit of the Insolvent Laws, in reference to which Sen-



not half remarkable, that one of the most efficient Clerks, this Office ever had, was discharged by order of the President, for a similar application.

It thus appears that Dr. Mayo, is acting in defiance of the Rules & regulations of both the President and Secretary of State:— performing the office of Spy:— and drawing from the Treasury of the United States one thousand dollars per annum, for services worth little more than half that sum.

All which is respectfully submitted.

By your Obedient Servant,

John D. Craig

End
JDC

This communication, appearing to have been made in pursuance of the President's directions, is respectfully submitted.

Dept. of State, Jan. 7. 1835.

Let a copy of the within charges be furnished to Dr. Mayo, and a full explanation required on all the charges.

A. J.

End
JDC

Honorable John Forsythe,
Secretary of State.

Patent Office,
January 10th. 1835.

Sir,

I have this moment recd. your letter of yesterday, inclosing me a copy of a letter from the Superintendent of the Patent Office to the President of the United States, pressing a series of charges against me, which, in conformity with your request, I proceed to answer forthwith.

These charges appear to be reducible to the three following heads, viz:—

1st. That I habitually violate a rule of office, by pre-



habitually absenting myself from Office, during office hours, without asking - leave of the Superintendent - accompanied with details & remarks.

2nd. That my services are worth but little more than half the amount of my salary - also accompanied with a statement of my work, as per statement of words written & estimated at 12 1/2 cents per hundred.

3rd. That I have been performing the office of Sfy, & Informer to Wm. D. Elliot, in his late charges against the Patent Office.

4th. That I have petitioned the District Judge for the benefit of the Insolvent Laws - with remarks.

The want of accuracy and fairness in these statements, strikes me as the pervading characteristic of the whole of this anomalous document - the gross colourings of which, have but the semblance of facts of any kind, and surely none of a reprehensible kind to base them upon.

1st. In relation to the first charge, - I deny it, and its details in toto - except as to the fact, of having, in a few instances, left the office in office hours under peculiar circumstances, but neither frequently, nor of sufficient duration, to bring such absence within any rule of neglect or abandonment - in as much as my prescribed clerical duty is specific, and has never been in arrears since I have been in the office properly so to be alleged, but instead of arrears, very frequently during the time of my service, I have been idle for days together for want of employment, and on some of these occasions I have slept out for a few moments, when it w^d be, as I should apprehend, a vicious display of severity, to recognise such momentary absence as coming within the rules of the alleged inhibition, having all the while my oath of office before my mind's eye, to perform my duties



with fidelity, & having fully squared & balanced them daily. On the other hand, I have very uniformly resorted to the Office, sick or well, before office hours (as I have had occasion to state in a former communication to the Hon. Secretary of State) for the most part before any other Clerk, and generally was the last to leave the Office, and when the influx of business has been greater at certain times, than at others, which it is, in the nature of things, I have returned to my desk, in the afternoon, for the extra gratification of my own impulses, to keep it from accumulating. If any part of my duty has ever been handed over to another to perform, from my default, I have not ever been so informed: that such a thing may occur, in most offices, in order to meet special emergencies, I have no doubt, but surely such a transfer has not been made in this case without my knowledge, merely to afford a little colouring matter for this extraordinary document. I am moreover certain that this statement of the Superintendent has been taken on trust from some malicious, false representations of others, as I scarcely ever meet with him in the Office or out of it. — In relation to this charge, and its corroborative details, I beg that Mr. Johns, & Mr. Bishop, may be examined; and that my former communications to the Hon. Secretary of State may be referred to, as a part of this answer.

2nd. The second Charge is fully answered in meeting the first Charge & Specifications as above — except so far as relates to the count of words, upon which I may state, a fact, that this count of words is not always accurate in the Office. In one instance that comes to my knowledge, it deviated from the truth, as afterwards ascertained, 25 per cent. But suppose the count be true, in this case, still a material fact is left out of view, which would totally



change the character of the imputation. These words so particularly susceptible, are written upon parchment, the roughness of which, and its ridings, together with the well known insupportable nature of parchment in general; to receive the impression of ink, from a swift hand, render it extremely unfair to put this matter upon the footing of a court by words which is not the rule of correspondence for writing on parchment in any of the Departments, when it is done by the job.

And, There is nothing specified - I deny the imputation.

4th. In relation to the case cited as a parallel to my application to the District Judge, I must object to its accuracy. It is not a parallel case. I made my application to the Judge, under peculiar circumstances of a sudden run upon me the instant I went into office, in July, I will not say by a conspiracy to produce that result as a means of venging a former action of the President to hear upon me. However that may be, it is certain that the cases are dissimilar in all their material facts. - Without entering into general circumstances of the other case, it may be sufficient to say, that it occurred as a sequence of several years in office. Mine occurred before I had received a cent, and therefore had no opportunity to redeem my payments, as I had formerly devoted my salary to pay my expenses here. And as a further, extra evidence of my good disposition in that regard, since I have been exonerated by the District Judge, I have resumed, and continued the same course of payments of my own free will & sense of justice, devoting every cent of every month's salary to those accumulated dues - the last black year, severely reducing the means of subsistence for my family from month to month - but as every creditor could

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not have preference, in the first payments, I have given
preference to those who have given me less annoyance - and the
scheme of legislation is as rigidly in progress now as ever, reserving
nothing even for the day of precarious future, though fully sensible
of the efforts continually impending over my head, to turn me
out of office. All of which is respectfully submitted, by

Your acquit & Obedt. Servt.

Ro. Mayo.

End

RR

Washington Jan^y 10th, 7 Obedt.
O. M. 1855.

Hon. John Forsyth,
Secretary of State,

Sir,

My letter of this afternoon,
in answer to a document placed in my hands at 11 o'clock
this morning, is more brief than what I apprehend the
case calls for; but it was despatched in that laconic form,
in order to place a response in your hands with all prompt-
ness; - and to throw no obstacle in the way of immediate
action, if desired, by the delay of a protracted and specific state-
ment. I shall now proceed to draw a more detailed statement,
and convey it to you as soon as possible, in the hope that if
there be no pressure for the use of so brief an answer, when
a "full explanation is required" and is now in progress, that I
will be permitted to substitute it for the other. This, of course,
will be entirely at the option of the Hon. Secretary of State. I
purposed to have made this excuse, in person, when I called to
hand in the answer, but was prevented by the pre engagements
of your Company at dinner.

I am very respectfully,

Your Obedt. Servt.

Ro. Mayo.

End

RR

Patent Office,

Jan^y. 19th. 1835.

The Hon. John Forsyth,
Secretary of State,

Sir,

In the course of preparing a full answer to the charges preferred against me by the Superintendent of the Patent Office, I have found, some obstruction, for want of copies of any orders, rules, & regulations, of the Department of State, relative to the Patent Office, which it may be proper for me to have access to, in order to make such references thereto, as the purport & bearing of those charges & my defence require. May I beg the favour of the Hon. Secretary of State to cause me to be furnished with such copies as it may be proper & advisable for me to have in such extremity, & oblige his very respectful & obedient servant,

Robt. Mayo.

Enc.
J.F.

Patent Office,

January 23^d. 1835.

Honorable John Forsyth,
Secretary of State,

Sir,

I received about 11 O'clock, on the morning of the 10th instant, your letter of the 9th enclosing to me a copy of a letter of the 7th from the Superintendent of the Patent Office, to the President of the United States, preferring a series of charges against me - which, in pursuance of your request to furnish the Department with a full explanation in reference to all the charges therein contained, I proceed to answer with all practicable dispatch, at my intervals of leisure after office hours, till completed. I also take this occasion to acknowledge your letter of the 14th in answer to my request of that

date, informing me that you had instructed the Superintendent to permit me to make and retain copies of the letter of the Secretary of State to him, of the 16th of December 1833, and of the arrangement for the business of the ^{Adm.} Office, of the 16th September 1834, in order to enable me to reply to the Charges referred to, and to express my thanks for the copies thus obtained, of which I had no previous knowledge, but in a vague & unofficial way.

Being now brought to the platform of Justice, I must beg leave to premise, that such references and such remarks as I may conceive it proper to make, by virtue of the extraordinary and responsible position in which I am placed, in order to give the full explanation desired, and which my own character & honour appear to me to demand, will not be made in any spirit of disrespect to any one, as I shall endeavour to divest myself of every other feeling but a sense of justice to all concerned - forbearing even to smite the vulnerable parts of my assailants, while I simply advert to them, in acquitting myself of a twofold duty of self defence & a proper regard to the good of the public service in which I am engaged.

The Charges referred to, with the details and remarks accompanying each, are reducible to three few heads, to wit:

I. That I habitually violate a rule of the Department of State, by frequently absconding myself from office during office hours, without asking leave.

II. That my productive labour is worth but little more than half the amount of my salary.

III. That I have been performing the office of Spy and Informer to W. P. Elliot, in making his late Charges against the Patent Office.

IV. That I have petitioned the Chief Justice of this

Interest, for the benefit of the Insolvent Law.

I may here remark, in general, that a want of accuracy and fairness strikes me as the prevailing characteristic of the whole of this most extraordinary and discreditable document, the highly wrought colourings of which have been by the semblance of facts, of any kind, and surely none of a reprehensible kind, to ground them upon.

The letter sets out, in the very first sentences, with evident dissimulation towards the President, in endeavouring to throw the fault of this procedure on him, by alleging that it is made in compliance with his injunctions to state to him occasionally how I conduct myself, and perform the duties assigned me. There is a palpable declaration, that the President at the time of my appointment entertained doubts of my conduct and my efficiency, in discharging the duties that might be assigned me: Whereas, in the Superintendent's own extraordinary reception of me, in personal language, and by letter, of the 3^d July, when I presented him my letter of appointment, he substantially avowed, that the President disbelieved those very allegations which he (the Superintendent) had been urging against my appointment. But, to quiet the distrusts of the Superintendent, it appears, the President gave him the alternative of putting me to the severest test, by exposing, from time to time, every thing he might find amiss, in my conduct & performance. Here, then, is evidence from his own words, that the President discredited those allegations: and further, I am confident in the belief, that if the President had entertained those doubts, he never would have sanctioned the appointment until they were removed; nor need I say that I have tangible evidence that I would not have accepted the appointment under such imputations, so accredited or recognised. I never viewed the

tivity to report one from time to time, as originating in the distrusts of the President (tho' it existed sub silentio by virtue of every official relation). not only because my confidence in his better opinion, forbid it, but because the very words of the Superintendent's first interview & letter declared the very contrary of the impressions now obliquely sought to be made. How far he has abused the alternative & the confidence of the President, in making erroneous & frivolous charges, will probably appear by the following canvass of his report, taking it by Storms.

I. In relation to the first Charge, the Superintendent says: ^(1.) "One of the rules & regulations from the Department of State, is, that no person belonging to this Office shall absent himself during office hours, without permission: ^(2.) Yet Dr. M. has been oftener absent than all others belonging to the Office, and that without ever asking leave, or even notifying his intention to be absent. ^(3.) No matter what the pressure of business may be, he walks off at any hour, and returns or not, during the day, as he thinks proper. ^(4.) To say nothing of such an example in a public office, one consequence is, that there is no certainty when any work put into his hands will be finished, and ^(5.) Mr. Johns has to be behoove from his regular employment, to perform what should have been done by the other."

^(1.) "One of the rules & regulations from the Department of State, is, that no person belonging to this Office shall absent himself during Office hours without permission".

This is the first time I had learnt that such a rule had been adopted by the Department of State: nor had I any knowledge that such a rule exists in any other Department, though evidently much called for (to prevent perjury) as a Codicil to the Law organizing the Department & requiring the Clerks to make oath "to perform with fidelity the duties to be assigned them" &c. Anterior to the existence of this rule, the Super-

independent, in his letter to mine of 3 July, did speak of a rule of
 this import, in connection with many others, as appertaining
 to the Patent Office, which it appears by the Documentary evidence
 did not exist by any confidential authority; and all of which was
 also connected with other vagueries, so foreign from any usage of
 the Department on the induction of letters into Office, as entire-
 ly to deprive it, as I apprehend, of any official character, and
 upon that account, I referred that letter to the Secretary of State
 & to the President. (that reference, with a letter from myself to the
 President not having yet been acted upon, but probably will
 be, on this occasion, is herewith transmitted, as properly connected
 with the points under review) and it now appears by copies
 supplied me by instructions of the Secretary of State, at my request
 of the 19th Instant, that such a rule did not then exist, but was
 adopted nearly three months thereafter, on the 16th of September
 last; and still was I not, till now furnished with a copy, or
 apprised of it, except a harsh reproof in the legitimate mode
 of conveying such information, after leaving it enveloped in
 secrecy as a pit-fall; such I did receive in a note from the Sec-
 retary of State (referred to the Secretary of State) while I was still
 unconscious of violating any rule, and as conscientiously en-
 gaged in the daily and hourly discharge of my duties & fulfilling
 my "Oath to do so with fidelity. For at the moment this re-
 primand was given, I had despatched every iota of employment
 that was then in readiness for me, and having innocently
 stepped out a few moments, of this respite of my official functions,
 when I returned I found on my table, (I will not say hunted up
 on the spur of the occasion, to make the reprimand turn in
 more the more poignant) one short Specification, for me to make
 out the schedule for a Patent; which I immediately despatched the
 same afternoon; and then I was out of employment again.
 Yet this note of reprimand was forth coming, being handed

to Mr. Steiger by Dr. Craig, to read in the Letter Book, and then pass to me, while I was exercising this function in hope of official -
 possible entender - perhaps I may call it. But it imported me
 little whether the Department of State had adopted any rules of vi-
 gour, whose object, I conceived, could only be to ensure the perform-
 ance of public duty: for having my oath of office always before my
 mind's eye, and my own conscientious dictates of propriety for
 my guidance even without such an oath, it was very settled con-
 viction & firm resolve, that any such regulations could not & never
 should have any practical bearing upon me, as I should now
 or absent myself from Office in the reprehensible sense which
 such regulations must be intended to prevent, or in any ^{manners} from
 acquiescent to my duties and my oath. But being now in reg-
 ular possession of the regulations since the 20th instant, I shall
 most cheerfully conform to the very letter by remaining in
 office the six hours, whether there be employment or not.
 To ask leave of absence, there shall be no necessity.

(2d) Yet, (says the second specification) Dr. Mayo has been of-
 ten absent than all others belonging to the office".

I could have preferred that this comparison between
 myself and all others in the Office had not been made, as in
 truth it will give me an advantage in the actual exposition
 of the case, which I should be sorry to claim, for the sake of Mr.
 Johns at least. But the comparison being made, I am bound
 to notice it in the same way. I have been, inevitably, ab-
 sent for short intervals, neither frequently, nor of sufficient du-
 ration to bring such absence within any rule of neglect,
 even had I known the existence of any other rule than my
 oath, as it is ⁱⁿ my power to declare and to prove, that my du-
 ties (such as I was permitted to perform) have never been
 in arrears since I have been in the Office: but, instead of ar-
 rear, very frequently have I been idle for days together, in the months

of July, and for single days and parts of days, at subsequent times, for want of employment. On several of these occasions I have slipped out a few moments to avoid the evil of idleness, without neglect of duty of course, or infringing the spirit and meaning of the rule had I known it to exist. On the other hand, I have uniformly repaired to the Office about 8 o'clock in the morning through the summer & autumn, being one hour before office hours every day, and have been as uniformly the last to leave the Office, except Mr. Steiger, who commonly stays after 3 o'clock. Thus have I never lost a day, or a half-day, in continuance, though I was frequently so ill in the summer & fall, as to be obliged to go to bed as soon as office hours expired, and to avoid complaint or the appearance of neglect, and still more to gratify my own emulation to keep my duties within my grasp, have I left my sick bed in the morning, to go to the office, while there was, in fact, no pressure of business to make such an effort necessary. So that estimating my solia attendance at one hour per day, would give a clear gain of one day per week to the office; which in four months, before the winter would give more than sixteen days, while I am confident, that were all the fractional particles of time that I have slipped out of office omitted, they would not amount to two days. Now, I defy the other gentlemen belonging to the Office, to give any thing like such an account of themselves. All of them, except the Superintendent and the Stibbeneger, have been absent to distant Cities, Mr. Steiger once to Baltimore, Mr. Clark twice to Frederick, & Mr. Keller two or three times to Baltimore, Philadelphia, & New York, some for days, and others for weeks together. And

as a common practice Mr. Keller seems to be very generally absent, leaving his little brother who does not belong to the

office, to answer to the calls that may be made (for him) and doing but little duty when he is present, except when the monthly accumulation of models on his floor occurs, when it takes him a week or ten days to put them out of the way of being harassed and changed by the concourse that takes place in his room on such occasions. Also Mr. Johns, from the distance of his residence I presume, was from one hour to an hour and a half every day, in late arrivals a little before ten, and in early adjournments, about half after two - making a difference between my extra & his deficit of about two days a week. That the Superintendent has made this exaggerated statement of my absence, from the misrepresentations of some other person, I have the best reason to believe, from the fact that I seldom see him either in, or out of office, and therefore he could not have made it from his own observation. If it were necessary, I could give a specific statement of every absence that I have incurred, and show at the same time that there has not been a single Schedule for a Patent delayed a moment on that account; and the preparation of these Schedules is the only duty I have been permitted to perform since the distribution of duties of the 16th September last, though I am thus distinctly required to make out Patents, & to enter in the Index Books the patents granted". Mr. Johns, who writes in the room that I do, can testify, that he never comes to the office in the morning without finding me at work, and that he never withdraws in the afternoon without leaving me at work; and he will as truly say that I scarcely ever leave my seat in the interval. And Mr. Bishop, the Messenger, who is present early and late can equally testify to my constancy.

(3.) "No matter what the pressure of business may be (Dr. M. walks off at any hour, and returns or not, does

ing the day, just as he thinks proper.

This allegation is so totally incorrect, that I am utterly confounded to divine how Dr. Craig could bring his mind to compose such a statement. There has at no time been a great pressure of business in the branch that I have been permitted to officiate, viz, the making out Schedules preparatory to issuing patents, the other branches of my designated duty, as before stated, having been withheld from me. There has never been an accumulation of Specifications, in waiting, for me to prepare the Schedules, except in a very slight degree in December, and then not exceeding ten or twelve in number, though, during that month the greatest influx is brought by members of Congress for their constituents. Yet, even that extraordinary accumulation fluctuates down to three or four in the course of the month; and since that in the present month they have been several times entirely exhausted, leaving me at short intervals without employment, as is the case at this moment. (Saturday) which affords me an opportunity to give an imperfect to this answer. So that this branch of business has at all times been as nearly up to the role as was practicable or desirable. In fact more so than is desirable because it continually subjects me to the liability of being idle at intervals, which would not so likely occur, were I to have the filling the blank Patent in connection with the Schedules as prescribed by the Secretary of State, and the entering in the Index books the Patents as issued. But at the very time the Superintendent was making his Charges, there was a considerable accumulation of Schedules, not less than 20 in number, already prepared by me, and waiting to be revised, for issuing the patents; no, was this and subsequent accumulations subdued until the 15th of January, instant, when the balance

on hand, of fifteen Schedules were submitted on that day. If then, there has been any obstruction to the despatch of any portion of the business of this Office, it cannot be laid to my charge - nor have I ever on any day been absent from the Office at the usual time of adjournment.

(4) To say nothing of such an example in a public office, one consequence is, that there is no colony, when any work put into his hands will be finished -

There has, at no time, been any work put into my hands, that dwelt time a moment beyond the time that the most sedulous devotion to my duties would exact it; nor was it ever intimated to me there was any greater hurry for the despatch of one patent than another; and I have understood the usage to be, a uniform forwarding of all applications, in the order of their passing from the hands of the Superintendent, with the indorsement by him, "to issue" - which indorsement, indeed, is sometimes made premature - by and the Specifications passed to me, & the Schedules, made out before the models are received, two of which have appeared in this month.

(5) And Mr. Johns has to be taken from his regular business to perform what should have been done by the others.

There has never been any part of my duty handed over to Mr. Johns or any other to perform, from any default of mine, of which I have had any knowledge, or the slightest intimation. One Specification, of two very long ones (for Patents issued by Special Act of Congress to a foreigner for steamboat navigation of the waters of the United States in violation of the Constitution & the Laws of Naturalization authorized by the Constitution as the only channel through which foreigners can be admitted to the benefit of Citizens), was placed in Mr. Johns' hands in August or Sept., while I was

preparing the other, not from the backwardness of my performances, but to gratify the Agent Dr. Jones, of the State Department proper, as I understood it, in having them both in forwardness at the same time; and the consequence of calling in the aid of Mr. Johns on this occasion, was, to throw more idle hours on my hands thereafter; so that the time Mr. Johns was employed on that Schedule was literally thrown away, as to his proper employment, and useful to any available purpose of the Office. If such another — transfer of my work ever occurred, it was without my knowledge, & I presume there could have ^{been} no other ground for it, than to make speedy issues of patents upon some similar emergency, of which I was ignorant, and which might just as likely occur the very next day after being idle for want of Documents; and yet there could have been no actual necessity, at any time, for the adoption of such a policy, as a little patience on all these emergencies would have enabled me to subdue any such momentary influx, in the even course and tenor of my duty. Surely such transfers have never been made with a view to procure a little coloring matter for a premeditated caricature. Yet Mr. Johns' own work has always been in arrears, partly owing perhaps to having been frequently taken from it also to examine Mr. Walker's & Mr. Macdonald's.

II. In relation to the second Charge — the Superintendent says —

"How far his productive labour, while in office, with compensations for his absence will appear by the following statement of his performance during the six months he has been in the Office" — "which, at 12½ cents per hundred words, the price fixed by Congress, would amount to little more than half the sum he is drawing from the Treasury of the United States."

This Charge is fully answered and refuted, in

meeting & refuting the first charge & specifications as above - except so far as relates to the count of words; on which I may state a fact; that this count of words is not always accurate in the office. In one instance that came to my knowledge, it deviated from the truth 25 per cent, as was afterwards ascertained by revision, upon representations of the family interested. But suppose this count to be true in this case - Yet I have fully shown that my work, so far as I was permitted to officiate, in the duties prescribed to me by the Secretary of State, was always up to the yoke of the current business, and of course it would not be my fault, if it had been fifty per cent less. Nevertheless, it appears from this count, that my performance was nearly a hundred per cent greater in December, than it was in July or August; but this comparative difference is fully explained by the same corresponding difference in the current applications for patents in those months - all of which rather proves that there does not come to the office enough of this current work to keep one employed, which the Superintendent surely ought to have known when he scaled my efficiency by this estimate. Wherefore, then, were the other branches of my duty withheld from me, and conferred, in excess, upon Mr. Steiger - in conformity to the distribution prescribed by the Secretary of State, would have afforded me more full employment, and would have saved Mr. Steiger from being excessively worked, as I have understood is proclaimed by some persons connected with the office. Surely this disregard of the arrangements of the Secretary of State did not proceed from a predetermination to improve my performances in a beggarly exhibit of words counted at 12 1/2 cents the hundred, and to enhance the lustre & clat of Mr. Steiger's performances. But again, these words, so particularly counted (which indicated a prodigal waste of time to little gain) are

preparing the other, not from the backwardness of my performances, but to qualify the Agent Dr. Jones, of the State Department proper, as I understood it, in having them both in forwardness at the same time; and the consequence of calling in the aid of Mr. Johns on this occasion, was, to throw more idle hours on my hands thereafter; so that the time Mr. Johns was employed on that Schedule was literally thrown away, as to his proper employment, and useful to any available purpose of the Office. If such another transfer of my work ever occurred, it was without my knowledge, & I presume there could have ^{been} no other ground for it, than to make speedy issues of patents upon some similar emergency, of which I was ignorant, and which might just as likely occur the very next day after being idle for want of Documents; and yet there could have been no action at necessity, at any time, for the adoption of such a policy, as a little patience on all these emergencies would have enabled me to subdue any such momentary influx, in the evenness and tenor of my duty. Surely such transfers have never been made with a view to procure a little colouring matter for a premeditated caricature. Yet Mr. Johns' own work has always been in arrears, partly owing perhaps to having been frequently taken from it also to examine Mr. Walker's & Mr. Macdonald's.

II. In relation to the second Charge — the Superintendent says —

"I owe for his productive labour, while in office, will compensate for his absence will appear by the following statement of his performance during the six months he has been in the Office" — "which, at 12 1/2 cents per hundred words, the price fixed by Congress, would amount to little more than half the sum he is drawing from the Treasury of the United States."

This Charge is fully answered and refuted, in

meeting & refuting the first charge & Specifications as above - except so far as related to the count of words; on which I may state a fact, that this count of words is not always accurate in this office. In one instance that came to my knowledge, it deviated from the truth 25 per cent, as was afterwards ascertained by revision, upon examination of the party interested. But suppose the count to be true in this case - Yet I have fully shown that my work, so far as I was permitted to officiate, in the duties prescribed to me by the Secretary of State, was always up to the gage of the current business, and of course it would not be my fault, if it had been fifty per cent less. Nevertheless, it appears from this count, that my performance was nearly a hundred per cent greater in December, than it was in July or August; but this comparative difference is fully explained by the same corresponding difference in the current applications for patents in those months - all of which rather proves that there does not come to this office enough of this current work to keep me employed, which the Superintendent surely ought to have known when he scaled my efficiency by this estimate. Wherefore, then, were the other branches of my duty withheld from me, and confessed, in effect, upon Mr. Hoiger - in conformity to the distribution prescribed by the Secretary of State, would have afforded me more full employment, and would have saved Mr. Hoiger from being excessively worked, as I have understood is proclaimed by some persons connected with the office. Surely this disregard of the arrangements of the Secretary of State did not proceed from a predetermination to impoverish my performance in a beggarly exhibit of words counted at 12 1/2 cents the hundred, and to enhance the lustre & clat of Mr. Hoiger's performance. But again, these words, so particularly counted (which indicates a prodigal waste of time to little gain) are

preparing the other, not from the backwardness of my performances, but to gratify the Agent Dr. Jones, of the State Department proper, as I understood it, in having them both in forwardness at the same time; and the consequence of calling in the aid of Mr. Johns on this occasion, was, to throw more idle hours on my hands thereafter; so that the time Mr. Johns was employed on that Schedule was literally thrown away, as to his proper employment, and useful to any available purpose of the Office. If such another transfer of my work ever occurred, it was without my knowledge, & I presume there could have ^{been} no other ground for it, than to make speedy issues of patents upon some similar emergency, of which I was ignorant, and which might just as likely occur the very next day after being idle for want of Documents; and yet there could have been no actual necessity, at any time, for the adoption of such a policy, as a little patience on all these emergencies would have enabled me to subdue any such momentary influx, in the even course and tenor of my duty. Surely such transfers have never been made with a view to procure a little idling matter for a pampered curialore. Yet Mr. Johns' own work has always been in arrears, partly owing perhaps to having been frequently taken from it also to examine Mr. Walker's & Mr. Macdonell's.

II. In relation to the second Charge — the Superintendent says —

"How far his productive labour, while in office, will compensate for his absence will appear by the following statement of his performance during the six months he has been in the Office — 'which, at 12 1/2 cents per hundred words, the price fixed by Congress, would amount to little more than half the sum he is drawing from the Treasury of the United States.'"

This Charge is fully answered and refuted, in

meeting & refuting the first Charge & Specifications as above - except so far as relates to the count of words; on which I may state a fact, that this count of words is not always accurate in the office. In one instance that came to my knowledge, it deviated from the truth 25 per cent, as was afterwards ascertained by revision, upon remonstrance of the party interested. But suppose this count to be true in this case - Yet I have fully shown that my work, so far as I was permitted to officiate, in the duties prescribed to me by the Secretary of State, was always up to the gage of the current business, and of course it would not be my fault, if it had been fifty per cent less. Nevertheless, it appears from this count, that my performance was nearly a hundred per cent greater in December, than it was in July or August; but this comparative difference is fully explained by the same corresponding difference in the current applications for patents in those months - all of which rather proves that there does not come to the office enough of this current work to keep me employed, which the Superintendent surely ought to have known when he sealed my efficiency by this estimate. Wherefore, then, were the other branches of my duty withheld from me, and conferred, in excess, upon Mr. Steiger - in conformity to the distribution prescribed by the Secretary of State, would have afforded me more full employment, and would have saved Mr. Steiger from being exclusively worked, as I have understood is proclaimed by some persons connected with the office. Surely this disregard of the arrangements of the Secretary of State did not proceed from a predetermination to improve my performance in a beggarly exhibit of words counted to 12 per cent the hundred, and to enhance the lustre & clat of Mr. Steiger's performance. But again, these words, so particularly counted (which indicated a prodigal waste of time to little gain) are

written on parchment, the roughness of which in many respects,
 is similar to Spanish paper; also its silkeness, and otherwise unsuited
 to receive the impalpable ink from a swift hand,
 render it extremely unfair, to put the estimate of this duty,
 upon the footing of a correct by the hundred words: besides,
 writing upon parchment, for these very reasons, no doubt,
 is never paid for by this rule in any of the Departments, or else
 where, and where it is done by the job, but rather at a ra-
 tio of twice or thrice this estimate of 12 1/2 cents the hundred words
 a price fixed by Congress, on the ordinary recording on paper
 not on parchment, as I understood it. Thus then would
 my work, (though not fully employed) taking the estimate
 of December for the criterion, amount to between 16,000 & 26,000
 dollars a year. Further, I have never understood that any such
 estimate was ever taken into consideration, in fixing the
 permanent salaries of Clerical Officers of the Government. I
 presume no such estimate was made to show to Congress
 that the arduous labours of Mr. Greenhow entitled him to an
 advance of more than fifty per cent, say from \$10.00 to 15.00 dol-
 lars in a few months after his appointment in the State
 Department, when the former sum had been considered
 for a series of years adequate compensation for the light du-
 ties of his predecessors - as in a dozen similar cases that I
 could mention in the other Departments. But as small
 as my performances have been, in despite of my ability
 to do all, & readiness to do more than I have been permitted
 to do, how would it compare with that of Clerks on similar,
 or any other duties in this Office, a few years ago, when there
 was not one fourth the number of patents issued, nor
 one tenth the quantity of transfers, per year, as in the year
 just past, to say nothing of the entire omission then to re-
 cord patents, though the same number of Clerks, or nearly so,

have always been allowed - these facts are shown by the books & files.

III. In relation to the third Charge, - the Superintendent says -

"It would appear from the Charges lately brought against this office by H. B. Elliot, that Dr. Mayo has been performing the part of an informer to that gentleman' (alias) 'performing the office of a Spy."

This allegation seems to be, in effect, a repetition of the general imputations thrown upon me by the Superintendent in his letter of the 3rd of July, already referred to. As, however, there is no specific charge, but a general inference from Charges made by another gentleman against this office, of which I had no knowledge, nor heard of, till after they were made, I have nothing specific to answer in the case, but to deny in general terms the truth of the imputation. Nevertheless, as some light may be thrown upon the sensitive suspicions of the Superintendent, - in connection with the good faith of the Public Service & the escape from any dereliction thereof, by thus attempting to implicate my honor and good faith, as a decoy "observing envelope", I must exercise my right & my duty by virtue of the responsible position in which I am placed by the Superintendent, to advert, in a general way at least, to a great mass of facts that seem to be embraced in the range of this Charge - a course not only important to my own full vindication, but equally important in leading to a full enquiry, for the information of the President, and the Secretary of State. This being done, I need make no effort to show, that this Charge (upon vague inference) taken in connection with the imputations of the letter of the 3rd July, has been suggested rather by the actual condition & transactions of the office, than from any chargeable misdeeds of mine.

And who has not early learnt, as a salvo against the designs of the wicked, "that conscious rectitude has no need of alarm about spies & informers." But the Superintendent virtually admits there is matter of impropriety in the conduct of the Patent Office, upon which he would enforce rigid secrecy among all belonging to the Office, otherwise he could feel no alarm, as there would be but a barren field for the odious vocation of a spy or informer.)

1st. In regard to Mr. Elliott, I have no particular connection or intercourse with him, but by virtue of his intercourse with the office, & otherwise as an artist. Mr. Elliott has frequently visited the Patent Office with letters from his correspondents, & has in some instances addressed them to me, making enquiries in their behalf, for information. I referred his enquiries of me, in two instances, to the Superintendent, but finding it an unpleasant agony, I declined thereafter and suggested to Mr. Elliott on a third call at the Office, to carry his letters to the Superintendent & make his enquiries for himself. On several of these occasions, so far as my presence and observation enabled me to judge, I am free to say that Mr. Elliott was utterly devoid of any intercourse with the Office, and was repulsed on two or three occasions by one of the Clerks, (Mr. Stinger) who has charge of the files, in terms derogatory to the character of a gentleman, stigmatizing him with improper or dishonorable motives & declaring that he would have nothing to do with him - explicitly refusing to give any satisfaction to his enquiries, though letters were exhibited as the foundation of his enquiries - Of these facts Mr. Elliott could have required no information from me.

2nd. There is ample evidence, in the Office, that the files and models are not in safe keeping; many of the

former being lost, and are daily liable to be lost or mistaid, and many of the latter broken to pieces, lost, and daily liable to be mutilated: All of which can be proved specifically, in fact evidence of which it may be sufficient here to advert to the broken condition of models in many parts of the office, & particularly in the machinists room, where the new models are daily accumulate on the floor, pell Mell, and thus continue a week or ten days, subject to be handled and experimented upon by his little brother for the amusement of persons resorting there on these occasions. This monthly scene of floor exhibition now exists (Saturday 24th Jan'y) has been going on more than a week and will probably continue for several days to come. And I should judge that the greater part of the more delicate models get dislocated and crushed or greatly damaged before they are put away.

3rd. The office is liable at night to be in the possession of an individual not belonging to it. (Dr. Jones of the State Department proper) by means of false keys or duplications, having his own writing table & depository of papers & drawings in the room that I write in, to which I have seen him making visits three times myself, without seeking or expecting to make any such discovery: And when I mentioned this apparently exceptional intercourse with the office, to Mr. Dickins, and the probability that Dr. Jones was still in the habit of preparing papers for his own endorsement, from the great number of applications that were brought to the office by him, Mr. Dickins remarked, that he understood Dr. Jones no longer charged fees for his agency since the orders of the Department of the 16. Dec: 1833, but only received presents from patentees. So that in order still to adhere to the substance he found a virtue in changing the name of the thing. — Of this description

of transgressions, no doubt many facts exist - one other alone has come to my knowledge, which is the case of Mr. Heller preparing a drawing for a patentee, who told me personally on depositing the drawing, that Mr. Heller prepared it, and charged him three dollars. Whether these papers could be recognized by the Superintendent as evidences of transgression, from his knowledge of their style of performance I know not. But I can claim that Mr. Elliott knows much more of such facts than I do, by virtue of his long connection with the Office, and his intercourse as an assistant, with persons resorting here on patent business, and therefore could need no information from me as he has obtained more than I know of; surely more as a spy or informant - Where the misdeeds of any office I may be in, seem to call for such an agency as is by the Superintendent attempted to be so stigmatized, my resort would be, as in duty bound, to the superior Officers.

Indeed, so conscientious do I endeavour to be at all times in that respect, that I will now mention another fact, lest I should be chargeable with the omission on so appropriate an occasion, - and particularly as I know the Secretary of State is under an erroneous impression in relation to it, from a remark he made to me, on the comparative duties of Mr. Johns & myself - saying, to this effect, that while my writing was chiefly on parchment, I had left to write, in making out patents, than Mr. Johns had to do, in recording them, by the difference of the printed form of Letters Patent, which I only had to fill the blanks, while he had to copy or record the whole. Now, the fact is, the Patents are not recorded, or issued, according to the orders of the 16th September last; nor are they recorded at all, and never have been, though the law also requires them to be so recorded, and enjoins it.

in the order of official proceedings, before handing the patents over to the patentees. All that has ever been attempted towards complying with these requirements of the laws of the Department, has been to record the Specifications and the date of the issue, as entered on the specification, whereby we have two copies of the Specifications, the original & the record, but none of the Letters Patent proper, they being sent away before any attempt is made to submit them to record. And as to other details of the arrangement adopted 16th September, I may add that the copies I make, are revised by Mr. Steiger, not in conformity to any distribution of duty assigned to him, but apparently in disregard of the specific assignment to the Superintendent, "to revise all writings prepared in the office, originals & copies" — unless Mr. Steiger's performance of this duty is, constructively, the performance of the Superintendent. Also, the notations, in Mr. Steiger's hand writing, on the Specifications, in designating the titles for the Schedules, indicate that the examination of these Documents preparatory to their admission to be patented, is confided to Mr. Steiger.

III. In relation to the fourth . . . Charge. — the Superintendent says —

"It also appears, from the public papers, that he (Dr. M.) has petitioned for the benefit of the Insolvent Laws — in reference to which I cannot help remarking, that one of the most efficient Clerks this Office ever had, was discharged by order of the President, for a similar application".

This is obviously an attempt to disparage the consistency of the President, should he fail to order my discharge on account of the application here referred to. How distant such an attitude towards the President, might be esteemed, even were the cases parallel, is not for me to question or judge upon: — And that the Superintendent was entirely

erred in his assumption of their parallel character, it be-
 comes me most especially to show; and I shall make it
 clearly appear, that they are as different as two cases can well
 be, whether taken prospectively, or retrospectively. I made my ap-
 plication, as stated in the very papers quoted (of which I com-
 municated immediate information to the President at the
 Harbottle), in consequence of a sudden ruin upon me,
 the instant I went into office in July last, chiefly by agents
 here, for antiquated claims, foreign from this District;
 While the other case occurred as a sequence of some
 years in office, on claims incurred here, while in office.
 A wide difference at once. Obedient to my loss of office in
 1835, (under the deliberate false pretence of the Commissioners
 of Pensions, declaring that there was no employment
 to engage me on at the office) I had regularly devoted my
 salary to the payment of my expenses here — while it is
 clear the other gentleman did not, or he would have had
 no occasion to resort to such relief while he was in the
 regular receipt of his salary, nor if his expenses overweighed
 his receipts, from vices that might have afforded strong
 or reasons for his dismissal, than the act held up to view —
 and God knows, no man has ever been able to impute
 any thing of the sort to me even in this centre of all
 obnoxiousities. Here the comparison drops, of course.
 But my vindication will be still more complete, when
 I add, that ever since I have been exonerated by the Judge; I
 have, of my own free will and sense of justice, devoted
 every month's salary to the payment of my arrears
 here, which, but for the relief now complained of, would
 have been swallowed up in old foreign claims, to the de-
 struction of citizens with whom I have dealt upon the credit
 of any poor prospects I might have here; — and which,

One knows, get worse and worse daily, from my zeal & good faith
in a cause I am willing to die for, as I have already heard
of assassinations from a hundred hands that were too cowardly to
strike. But as every creditor could not have preference in the
first instance of payment, I gave the preference to those who
had given little or no assistance; and in this scheme of
liquidation, am I still as rigidly grasping as ever, reserving no-
thing for the subsistence of my family, for the days of precarious
future, though fully sensible of the efforts continually engender-
ing to turn me out of office. Nor would I murmur at the
complete success of these machinations, if they were not contrived
by those who have no claims on the countenance of this
administration, or have I as little pretensions as they. And if
the Superintendent of the Patent Office desires that the
President shall know still more of my private affairs,
he is welcome, in all conscience, for I have no disguise -
I live in a garret, with my wife, and an indifferent do-
mestic, at as little cost as possible, and shall continue to do
so, till I can make up the arrears of my late vacant
twelve months - or so worse.

In fine, without legal or other counsel, as to form
and technicality, or as to expansion or restriction of range;
and without seeking the intercession of friends, because
I never would so call in question the entire justice &
impartiality of the President & Secretary of State - I sub-
mit this "full explanation" in answer to the aforesaid
charges, as in duty bound - & remain.

Very respectfully

Your obedient servant.

Chas. Mayo.

Ex-7
1872

Patent Office.

November 14th, 1834.

Honorable John Forsythe,
Secretary of State.

Sir,

I conformity with the order from the Department of State, dated October 1st 1834:—I have the honor herewith to transmit:— A list of Applicants for Patents, with their places of Residence and Titles of their Inventions, whose Treasury Fees, were deposited in the Bank to their credit, but who had not obtained their Patents on the 1st of October last. — Said Deposits are now Transferred to the Treasury of the United States, and Banks Receipts for the same, transmitted to said Applicants respectively:— The total amount so transferred being \$3060.

I have the honor
to remain

Yours Obt. Serv^t

John D. Craig.

Ex^o
JDC

(over)

A List of Applicants for Patents, whose money in the Secretary of State, dated October 1st, 1834.

When Received	Names of Applicants.	Residence.	
1830.			
March 16	J. L. Tiepfer	Boston	Ms.
" 22	Richard Allen	New York	
April 5	William A. Burt	Ditto	
" 26	James Prince	Ditto	
May 31	Edw. T. Bainbridge	Louisville	Ky.
Sept. 1	Luci Silliman	Albany	N.Y.
Nov. 11	L. Young & E. White	Green Sp.	O.
1831.			
Feb. 1	Deac Larnedson	Saline	Mich. Ter.
" 22	Oliver Clark	Moretown	Vt.
April 26	Maris B. Belknap	Croftback Iron Works	Tenn.
May 24	Wm. Kendall	Fairfield	Me.
July 1	Ovid Pinney	Danube	N.Y.
Aug. 23	George Anshuts	Pittsburgh	Pa.
" 30	Bryce M. Soregall	Ditto	.
Sept. 5	Orange Church	Friendship	N.Y.
21	Marion Hayward	Easton	Ms.
Nov. 3	Asahel Fairchild	Queensbury	N.Y.
" 10	Mathew L. Brown	Mason Co.	Va.
Dec. 2	Joseph Shure	Baltimore	Md.
1832.			
Jan. 13	Isaac Adams	Boston	Ms.
" 27	Saml. Conittbird	Ditto	"
Feb. 2	Wm. Chandler	Near Nashville	Tenn.
March 9	John L. Sullivan	New York	
" 21	Saml. Brooks	Ditto	
June 7	James S. Wood	Brechanan	Va.
" 15	Thos. Harrison	Lockport	N.Y.
July 3	Reuben Fairchild	Tremont	Co.
" 4	John W. C. Henssing	Brooklyn	Ms.

Transferred to the Treasury in conformity with an order of

Inventions or Discoveries.	When Invented		Amount
Salt Evaporator.	1834. Oct 1	7	\$ 30
Cotton Spinning Machy.	"	"	30
Writing Mach.	"	"	30
Solar, Planetary & Belt Wheel.	"	"	30
Propelling Boats.	"	"	30
Smelt Mill.	"	"	30
Blast for Furnace.	"	"	30
Corn Planter.	"	8	30
Carrriages.	"	"	30
Steam Blast for Furnace.	"	7	30
Steam Engine.	"	8	30
Tan Mill.	"	28	30
Pumps for Salt Wells.	"	8	30
Lath Machine.	"	27	30
Impr. Patent Wheel Head.	"	8	30
Sawing Fellies.	"	"	30
Stave drying Mach.	"	"	30
Propelling Ferry Boats.	"	"	30
Rail Road Car.	"	9	30
Roller Boy.	"	9	30
Printing Machy.	"	"	30
Steam Bellows.	"	"	30
Rail Way.	"	"	30
Manufg. Trunks. &c.	"	"	30
Medical Instrument.	"	"	30
Force Pumps.	"	10	30
Corn Machine	"	"	30
Salt Works	"	"	30

a List of Applicants for Patents, whose money was
the Property of State, dated October 13th, 1834.

When Taken	Names of Applicants.	Residence.	
1830.			
March 16	J. A. Siepior	Boston	Ms.
" 22	Richard Allen	New York	
April 5	William A. Root	Ditto	
" 26	James Prince	Ditto	
May 31	Edw. T. Brintidge	Louisville	Ky.
Sept. 1	Luci Sittiman	Albany	N. Y.
Nov. 11	L. Young & E. White	Green Sp.	O.
1831.			
Feb. 1	Deas Lambson	Saline	Mich. Ter.
" 22	Olinor Clark	Maretown	Vt.
April 26	Maris B. Belknap	Croftbrook Iron Works	Tenn.
May 24	Wm. Kendall	Fairfield	Me.
July 1	Ovid Dimney	Danube	N. Y.
Aug. 23	George Anchuts	Pittsburgh	Pa.
" 30	Bryce McDougall	Ditto	.
Sept. 5	Orange Church	Friendship	N. Y.
" 21	Martin Hayward	Easton	Ms.
Nov. 3	Asahel Fairchild	Queensbury	N. Y.
" 10	Mathew D. Brown	Marion Co.	Va.
Dec. 2	Joseph Shore	Bulltowne	Ms.
1832.			
Jan. 13	Isaac Adams	Boston	Ms.
" 27	Saml. Condit	Ditto	"
Feb. 2	Wm. Candler	Near Nashville	Tenn.
March 9	John L. Sullivan	New York	
" 28	Saml. Bracks	Ditto	
June 7	James S. Wood	Buchanan	Va.
" 15	Thos. Harrison	Lockport	N. Y.
July 3	Reuben Fairchild	Trombull	Co.
" 4	Jos. H. C. Hemming	Brooklyn	Ms.

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Transferred to the Treasury in conformity with an order of

Inventions or Discoveries.	When Invented		Amount.
Salt Evaporator.	1834.	7	\$50
Cotton Spinning Machy.	"	"	30
Waiting Mach.	"	"	30
Gelar, Planetary, & Belt Wheel.	"	"	30
Propelling Boats.	"	"	30
Smut Mill.	"	"	30
Blast for Furnace.	"	"	30
Corn Planter.	"	8	30
Carrriages.	"	"	30
Steam Blast for Furnace.	"	7	30
Steam Engine.	"	8	30
Tan Mill.	"	28	30
Pump for Salt Wells.	"	8	30
Salt Machines.	"	27	30
Impr. Patent Wheel Head.	"	8	30
Sawing Fellies.	"	"	30
Stave drying Mach.	"	"	30
Propelling Ferry Boats.	"	"	30
Rail Road Car.	"	9	30
Roller Boy.	"	9	30
Printing Machy.	"	"	30
Steam Bellows.	"	"	30
Rail Way.	"	"	30
Manufg. Trunks. &c.	"	"	30
Medical Instrument.	"	"	30
Force Pump.	"	10	30
Corn Machine	"	"	30
Salt Works	"	"	30

List

Where Received		Names of Applicants.	Residence.	
1832.				
July	17	Hyacinth Hensley	Genova	N. Y.
"	21	Michael Lawrence	Murfreesboro'	Tenn.
August	3	Lewis & Perotice	Lackpoel	N. Y.
"	8	Stephen A. Whiting	Lisbon	N. H.
"	17	Wm. Thompson	Nashville	Tenn.
"	20	Woodward & Mitchell	Anderson Co. H.	S. C.
Sept.	26	Jonathan Hobbs	Falmouth	Me.
Oct.	22	Oliver Teal	Salina	N. Y.
"	27	John Cole	New York	
Nov.	6	Josiah S. Howard	Charlestown	Ms.
"	30	Elias Howe	Spencer	Ms.
Dec.	8	Robert Kelly	Schenectady	N. Y.
1833.				
Feb.	10	L. Edmonson	New York	
March	7	Elmer Johnson Jr.	Burton	Vt.
"	8	John T. Towse	Mount Morris	N. Y.
"	16	Samuel Haynes	Belfast	Me.
"	22	John Girding	Dedham	Ms.
May	7	Amasa Gooden	Watinsburg	Vt.
June	13	Poley Sweet	Ashland	Pa.
July	2	Barnes & Hill	Ditto	"
"	6	Anson Walcott	Bloomfield	N. Y.
"	12	Seldon Graves	New York	
"	"	Edward Polange	Ditto	
"	22	Thomas Rogers	Putnam	N. Y.
Aug.	5	Jonathan Crane	Sharon	Ms.
"	17	Caleb Thompson	Montgomery	Pa.
"	31	Tedham M. Lovell	Spring Branch	Ms.
Oct.	14	Charles B. Austin	Henderson Phila.	Pa.
"	25	Alfred Harrison	New Haven	Conn.
Nov.	9	Joseph Kennedy	Boston	Ms.

Continued

Inventions or Discoveries.

	1834.		Amount
	Oct.		
Impelling Mills.	Oct. 7	10	430
Cotton Gin.	"	"	30
Application of Steam.	"	"	30
Window Blinds.	Oct. 10	10	30
Bath Apparatus.	"	"	30
Press.	"	27	30
Shingle Ma.	"	11	30
Under water Excavator.	"	"	30
Platform Scale.	"	"	30
Fire Gate.	"	27	30
Stair Hats.	"	11	30
Water Wheel.	"	"	30
Filter.	"	"	30
Baking Stove.	"	"	30
Saw Mill	"	"	30
Shoe Cutter	"	13	30
Cases of Steam Boilers.	"	16	30
Firebricks.	"	13	30
Brick Sticker.	"	27	30
Branding Instruments.	"	28	30
Distillation	"	13	30
Paper Cutting Ma.	"	"	30
Type Rubber.	"	"	30
Cotton Spinner.	"	"	30
Excavating Borer.	"	"	30
Combination of Levers.	"	14	30
Cotton Press.	"	"	30
Glass Blowing Machine.	"	"	30
Steam Boiler.	"	"	30
Baking Stove.	"	"	30

List

Month Received		Names of Applicants	Residence	
1833				
Nov.	15	Marion Savage	Wheatland	N. Y.
"	21	John Summellon	New York	
Dec.	10	John Randall Jr.	Ditto	
"	15	Thos. B. Hillman	New York	
"	20	Pierre Bartholomy	Ditto	
1834				
Jan.	15	Barnabas Langdon	Gibsonville	N. Y.
"	24	Thos. Haskell	Boston	Ms.
Feb.	28	Austin B. Robbins	Lenoxville	N. Y.
March	25	Joshua Bean	Readfield	Ms.
April	3	B. & T. Bury	Western	N. Y.
June	9	Berg's Jones	Pittsburgh	Pa.
"	19	Robert Rogers	South Berwick	Ms.
"	30	Henry Ruggles	New York	
July	11	John Sinnott	D.	
"	15	T. H. Scarborough	Brownsville	Tex.
"	16	Lewis Hinison	Hullowell	Ms.
"	26	Simon Hyde	New York	
"	30	John Gooding	Bedham	Ms.
"	"	Ditto	D.	"
August	12	William Roberts	Portsmouth	Ms.
"	16	Thos. Porter Sent	Bowling Green	N. Y.
"	"	Sam. & G. Ladd	Hullowell	Ms.
"	20	Whiting & Hear	Boston	Ms.
"	"	Lawson & Grover	Springwater	N. Y.
"	22	Armstrong & Ling	New York	
"	27	Tenard & Eaton	Hooster	Q.
Sept.	2	Stephen Chubbuck	Warham	Ms.
"	3	Edw. L. Fitch	Liberty	Ms.
"	10	Henry Richardson	Columbia	Vt.
"	"	Levi Beebe	Watertown	N. Y.

Inventions or Discoveries.

	When Transferred to the Patent Office	
	1834.	1850.
Water wheels.	Oct 15	30
Sawing Mach.	" 16	30
Rail Road Cars.	" 9	30
Valves for Steam Engines.	" 14	30
Type Casting Ma.	" 11	30
Boat Building.	" 14	30
Stoves.	" 15	30
Potatoes &c. Cutter.	" "	30
Thrashing Grain.	" "	30
Spinning Wheel.	" 28	30
Steam Engine.	" 15	30
Heating Buildings.	" 16	30
Making Pitch.	" "	30
Steam Boiler.	" "	30
Cotton Press.	" 15	30
Spiral Spring Chain.	" 16	30
Metallic Pen.	28	30
Steam Boilers.	" 16	30
Making Dry Steam.	" "	30
Washing Mach.	" "	30
Engines.	" 28	30
Bishop's Straw Cutter.	" 17	30
Stoves	" 28	30
Planing Mach.	" 17	30
Grain Cleaning Mach.	" 22	30
Twisting Machine	" 17	30
Nail Machines.	" "	30
Wheel Wronings.	" "	30
Cooking Stove	" 15	30
Portable Horse Power	" "	30

List

When Received	Names of Applicants.	Residence.
1834 Sept. 15	Stanton D. Lord	Bethany N.Y.
" "	Adyzer Trull	Milo Me.
" 16	C. R. Dinsmore	Goffstown N.H.
Sept. 25	Fowler & Hammond	Union Vale N.Y.
" 26	Ezra Coleman	New Bedford Me.
" "	Harlow Isbell	Morristown Ct.
" "	ditto	"
" "	Chapin & Wisley	East Windsor "
" 27	Jm. Salmon	Grand Pa.
" 29	Isaac Monitor	New Britain Me.
" "	John Shaw	Augusta Me.
Oct. 1	Jm. Ogden	Schenectady N.Y.
" 4	St. E. Fitzgerald	New York "
" "	ditto	"

Honorable John Forsythe, Patent Office,

Secretary of State,

Sir,

In answer of the 18th October last, I have the honor to acknowledge your patents, and whose monies were applied for, to their credit in the Bank; and said monies returned, as per vouchers filed in June 11th June 1849, is fifteen hundred dollars.

Continued.

Items, Goods, or Services.	Quantity	Price
Washing Machine.	Oct. 17	30
Planing Mach.	" "	30
Riding Saddle.	" "	30
Amount brought forward, Dollars.		2730
Revolving Machine.	Oct. 18	30
Bedstead.	" 19	30
Door Handles	" "	30
Ditto	" "	30
Cylinder Paper Mach.	" 18	30
Sawing Machine.	" "	30
Cheese Curd Cutter.	" "	30
Thrashing Mach.	" 19	30
Cast iron China.	" 20	30
Conical Grain Grinder	" "	30
Grain Thrashing Mach.	" "	30
		Doll 59060

John D. Craig.

Exd
JDC

Nov. 21st, 1834.

In compliance with the order from the Department of State, with to transmit: A List of names of persons, who arrived at this Office, and departed according to the usual persons having afterwards declined taking out their patents, this Office: The total amount of money so obtained, and all which is respectfully submitted, by

Yours obediently John D. Craig.

A List of Applicants for Patents whose money deposited to their credit in Bank, and was withdrawn by said Applicants, previous to the order of the Secretary of State, dated October 1861-1892 in conformity with which this list is made.

Date Withdrawn.	Names of Applicants	Residence.	Date Received.	Am.
1839.			1829.	
Jan'y 5	J. B. Waring	North Salem, N.Y.	April 10	5
6	E. Kimball	Loomister, Ms.		3
March 6	Sam'l. Harris	Hartford, N.Y.	1829. April 28	3
April 21	J. C. Butler	Phil. ^a Pa.	1830. March 17	6
July 13	Chamberlain & Smith	New York	April 5	6
Dec. 29	Wendell Anttrim	Trenton N.J.	July 20	2
1831. Jan'y 4	Thomas Howard	New York	May 6	3
March 15	T. Drake	Phil. ^a Pa.		3.
April 16	Bridgeman & Bills	Middletown Ct.	July 20	3.
July 16	Joseph Willit	Macon Ga.	Nov ^r 5	3.
30	Thomas & Holbrook	Brighton Vt.	1829. June 10	3.
Sept. 13	Israel Orinck	New York	March 14	3.
Dec. 28	Sam'l. Kepner	Harrisburgh Pa.	1831. June 30	3.
1832. Jan'y 4	T. B. Amistead	Bloomfield N.Y.	Jan'y 24	3.
Feb'y 29	J. I. Richardson	Palmyra N.Y.	Dec ^r 8	3.
March 30	D. Steinhause	Phil. ^a Pa.	1832. Jan'y 14	2.
May 24	Is't Van Achen ?	Knax N.Y.	April 17	30
June 7	Geo. A. Corbick	Genoa N.Y.	1831. Feb'y 5	30
" 8	Rutherford & Scott	Cataraugus Co. N.C.	Dec ^r 8	30
" 20	Is't Lindsay	Freybrush N.Y.	1832. March 29	30
" 25	H. Hurlbelle	Phil. ^a Pa.	May 24	20
" 29	Is't Eversed	Genoa N.Y.	April 18	30
July 4	L. P. Woodbury	Unknown	1831. Feb'y 28	20
9	Charles C. Winkins	Versailles N.Y.	Nov ^r 18	3.
19	R. C. Arnold	Bridgeport Ct.	1832. Jan'y 23	3.

List Continued.

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Date	Name of Debtor	Residence	Date	Amount
1832				
Aug. 16	Walter Chadwick	West Bay	1832	30
Sept. 16	Brookman Cheswick	Maryland	1831	30
" 15	James Hampton	Baltimore	1832	30
Oct. 17	Wm. H. Saffinell	Middleton	1832	30
Nov. 27	J. H. Hill	Tolmase	1832	30
1832				
Jan. 21	E. A. Lester	Boston	1832	30
" 24	J. R. Deard	Shenandoah Co.	1833	30
May 14	H. H. Saunders	Medford	1833	30
Amount forward				1050
1833				
Jan. 5	J. O. Brewer	Lynn	1833	30
" 26	M. Pearson	Northbury Post	1832	30
" "	J. Collins	Springfield	1833	30
Aug. 1	J. Edgar	Fair Hill	1832	30
Sept. 10	Sam. Carver	Bedding Bridge	1832	30
Oct. 29	Sam. Mulliken	Perry Village	1831	30
1834				
Jan. 17	Walter Liveridge	Dorchester	1832	30
" 27	E. Rogers Jr.	Russellville	1833	30
March 11	Sam. S. Fourny	Gettysburg	1834	30
" 15	Wm. Page	Portland	1833	30
" 29	Wm. S. Pondleton	Boston	1832	30
" 25	A. & J. R. Brown	Leedsdale	1832	30
April 29	James Van Buren	Shenandoah	1834	30
May 24	Wm. Hayward	Medford	"	30
July 28	Sam. Cook	Meriden	1832	30
				1500
John D. Coxig				

End
JWB

Hon. Louis McLane,
Secretary of State.

Department of State Office

7th Jan'y 1853 (4)

Sir,

I herewith transmit a decision of the Atty Genl of the U. S. in a case analogous to that of Mr. Francis B. Ogden:

The rule relating to assignments is, "An inventor may transfer his right before a Patent has issued, and the assignee take out a patent; or he may obtain his patent, and afterwards assign it. The assignment in either case, must be recorded in the Patent Office."

This rule applies to the whole invention, and not a part, previous to the issuing of the Patent. The present practice of the Office is to require joint and other inventors to take the oath prescribed by the Act of 1793, and to issue the Patent in the name of the inventors, and not in the name of a part inventor and assignee of the other part; where a moiety, or part of an invention is assigned, it is always after the Patent issues to the inventors. The Superintendent suggests an objection to Mr. Ericson's obtaining any right, either as sole or joint Inventor; - it is, that he is an Alien, residing in a foreign country, and could obtain a right only under a special act of Congress.

I have the honor to be Sir

Yours obed^t. servant,

John D. Craig

P.S. The Superintendent knows of no other practice or usage in the Patent Office at any time.

Edg 811

Washington Jan'y 2^d 1854.

Sir,

Mr. Francis B. Ogden, who is the Consul of the U. States at Liverpool, has requested me, as

his friends and agents, to present his petition to you, praying a patent for one invention, which is designated as "An Engine for producing motive power, whereby a greater quantity of power is obtained from a given quantity of fuel than heretofore". Of this Engine Mr. Ogden and one John Ericson a subject of the King of Sweden are the joint inventors: but the former, by virtue of an assignment from Ericson, has become the sole proprietor: and his application for a patent is made upon the ground, of his being the inventor as to the one half, and the assignee of the inventor as to the other half.

The petition would have been presented without hesitation, had I not been informed, that under similar circumstances a patent had in one instance been refused. This report has induced me, as a preliminary step, to take the liberty of asking, whether it be true that such a decision has taken place; and if so, whether it were made under such circumstances as to render it a precedent in the government of all parallel cases. It is understood to be the settled construction of the Statute, sanctioned by long practice in the Patent Office, and in fact declared by the printed regulations of the Superintendent, that the assignee of an invention is entitled to a patent: and it is difficult to perceive, why one individual who is both inventor and assignee should be excluded from a privilege, which would have been granted to him either as inventor or assignee. If such a determination were ever made, it is believed that it arose from some misapprehension of the case: and a confident persuasion is entertained, that it will not be permitted to operate to the prejudice of subsequent applications.

I have the honor to be, Sir,

Very respectfully Your obed^t. serv^t.

Edw
H.R. To the Hon. Louis M'Dane,
Secretary of State.

A. D. Dugston

Copy

Department of State,

Washington, July 3^d 1833.

Roger B. Taney Esq. Attorney Genl. U. S. Sir, I beg leave to refer

~~the within papers to you with a request that your opinion on the case to which they relate may be communicated in writing for the purpose of being filed with the archives of the Dept. of State.~~

Should it be your opinion that a patent ought to issue to Mr. Newton, upon his petition as joint inventor with, and assignee of Laming, I will thank you to say whether the difficulty may not be removed, by a petition signed by Newton for himself, and as Attorney for Laming.

The papers which accompany this are Laming's assignment to Newton; duplicates of the petition, specification and oath which Newton has deposited in the Patent Office, and the statement marked A, which was presented to me with the foregoing papers. I have the

A.

honour to be, &c. L. M.

Case submitted to the Secretary of State, at the request of Thos. W. Newton of Philadelphia.

Thomas W. Newton and John H. Laming are joint inventors of an improved Hydrant for which they determined to obtain a patent: Laming was on the eve of removal to the Western Country, but previously to his departure a Specification was drawn up and the legal oath taken by both parties and appended thereto: Laming then assigned his right to Newton which assignment with the other papers money &c. was sent to the Patent Office, the petition being signed by Newton for himself and as assignee of Laming.

On the 5th day of February the Superintendent writes to Newton, that "joint inventors cannot sell before they obtain their patent. Your petition therefore must be a joint one, and the assignment must be subsequent to and contain the date and title of the Patent, otherwise it would not be valid in law."

The legal provisions respecting joint patents and assignments are the following: In section 186 of the law 1793, these words occur: "granting to such petitioner or petitioners his her or their heirs administrators or assigns, for or term, &c." The 5th section of the same Act is in the following

words: "And be it further enacted, that it shall be lawful for any inventor, his executor or administrator to assign the title and interests in the said invention at any times; and the assignee having recorded the said assignment in the office of the Secretary of State, shall thereafter stand in the place of the original inventor both as to right and responsibility, and so the assignees or assigns to any degree."

It is respectfully submitted that if Mr. Newton had not been a joint inventor, his right to a patent under an assignment would not have been questioned; it is possible therefore, that he has not now a right; and that this disability can arise from his having been in part the inventor of the thing for which he solicits a patent?

It does not appear that any recorded opinion of the Attorney General has been given on such a case, nor is any decision of Court recorded which affects it.

Attorney General's Office, July 5, 1833.

Sir,

I proceed to state my opinion on the questions proposed in your letter of the 3rd inst. concerning the application of Thomas C. Newton for a patent.

The Petition is by Thomas C. Newton alone, and he states himself to be a joint inventor with Joseph H. Loring and produces a paper purporting to be an assignment of Loring's interest to him.

I should have preferred an official statement of the case from the head of the Patent Office, instead of the paper B. which was presented to you, & accompanies your letter. It is desirable in a question of this sort that I should be apprised of the difficulties which suggest themselves to the Office. I should also be informed of the usage of the Office in similar cases.

For if a law ambiguous in any of its provisions, has received in practice for many years a particular construction such construction ought not to be lightly departed from. And in the law in question there are several other provisions besides the passages referred to, in statement B, which bear upon the point and which when taken in connection with the paragraphs quo-

ted, in the statement involves the subject in some obscurity.

The first question proposed in your letter was verbally put to me from the Patent Office some time ago. And I then understood that it had been the usage of the Office not to grant a patent on a joint invention to one of the inventors upon the assignment of the other—but to require all who were concerned in the invention to join in the petition. And upon examining carefully the Act of Congress on that occasion I expressed my opinion that it was advisable to adhere to the interpretation of the law as heretofore practiced on—and I still entertain that opinion.

The second question is one that is more proper for your decision than mine. It depends on your department to fix by regulation (when the law is silent) what evidence will be deemed sufficient to authorize one man to act as the Attorney of another in any of the Bureau under your direction. The evidence usually required in similar cases is a power of Attorney sufficiently authenticated. But if you think any other evidence ought to be received by the Patent Office, as sufficient proof of authority, it is for you to prescribe the form as well as the manner in which it must be authenticated.

I am, Sir, very respectfully,

Yours obt. St

R. B. Taney.

Edgar

Hon. Louis McLane
Secy. of State.

Department of State Pat. Of-
fice. Janry. 10th, 1834.

Sir,

I have the honor to transmit an account of monies received at this Office for copies of Papers, Drawings &c. and recording transfers of Patent Rights, from the 21st Oct. to the 31st December 1833 inclusive, and have paid the sum of \$130,77⁰⁰/₁₀₀ into the Treasury of the U. S. to the account of Clerk here in the Office of the Secretary of State according to the

112 Sect: of the Act of 1793.

Very respectfully, Your obedient servant,

John D. Craig

Dept. of State Pat. Office.

January 21th 1834.

Hon. Louis McLane.

Secretary of State.

Sir,

Before this I should have acknowledged the receipt of the copy of Mr. Elliot's evidence in proof of his charges against me, which you did me the honor to transmit to this Office of the 7th instant. Press of business in closing the labor of the last year, is my apology for the delay.

Were I not a public officer, I should scorn to notice him or his slanders; being thus situated however, I have deemed it an imperative duty, not only to repel the charges in the most effectual manner, but also to expose the turpitude of their author, by employing a Gentleman of the Bar to file a declaration, and to prosecute the suit to the utmost extent of law and justice.

Duty to myself and the public require the dismissal of Mr. Elliot from this Office, which I very respectfully request.

I have the honor to be Sir,

Your very humble servant,

John D. Craig

Washington January 27, 1834.

To Louis McLane, Secretary
of State of the United States.

Sir,

About a month ago I preferred certain charges against John D. Craig, Superintendent of the Patent Office, with proof in support of them; but have not

yet heard of any decision in the case.

I hope, Sir, your attention will be directed to this subject as early as your other important duties will permit; because, whilst he is enjoying the benefits of his station, without a decision, my character is subject to misconception, and chargeable with being a slanderer & libeller; a character which I abhor.

Since furnishing the proof I have received the enclosed letter from Capt. Weaver, respecting Mr. Craig's behaviour in Office. And I can add, that I happened to be present when Mr. Livingston visited the Office, and heard the complaints of the Clerks; of which Mr. Livingston seemed to be sensible; and ordered me to communicate to Mr. Craig that he wished stoves and benches to be procured, and sent by me a warrant for money for that purpose. When I communicated this to Mr. C. he answered churlishly, that he should do no such thing; and never did do it:—and such has been the uniformly arbitrary conduct of this man.

I have the honor to be

Your most ob^t. serv^t

W. D. Elliott.

ESSEK

Washington December 28th. 1853.

Sir,

Yours of the 19th was duly received, wherein you state, that you "have been obliged to prefer charges against John D. Craig, Superintendent of the Patent Office", and among other charges mention, "that he once treated me rudely."

Called upon in this manner in relation to the conduct of a public Officer, I feel that I have no right to evade or to refuse to state such facts as I am possessed of, however great the disinclination to volunteer myself as one accused, when I was myself suffering wrong. I will mention as briefly as possible one or two instances, where I was made to feel Mr. Craig's injustice, & want of feeling.

My appointment with others at the Patent Office to record the the ancient patents under a special Act of Congress was made by Mr. Livingston in the winter of 1832, in the latter part of the winter. We expected as a matter of course to be made comfortable; but found to my surprise that we were denied seats of any sort, & the indispensable requisites at that season, Fire. I have borne much hardship in my life, the extremes of heat and cold; but where I could take exercise. I found my health becoming affected, others were suffering more severely than myself. Mr. Cummings came near losing his life, in consequence of the violent cold he took. Mr. Van Ness was also dangerously ill. I was one to solicit of Mr. Craig, that we might be accommodated with fire, and was denied rudely and harshly. An appeal was made to Mr. Livingston. He came to the Patent Office himself, made due enquiries, designated the place where stoves should be put, and gave the proper orders for our comfort and convenience. Those orders were disobeyed by Mr. Craig. Yet an weekly examination of our work was held by his order. Three gentlemen were turned out for not performing their work well, writing in a barn of a room, snow upon the ground, a part of the time and no fire.

The other transaction to which I alluded, as characteristic of his injustice and want of feeling, was the refusal to make me a payment for work done, after a warrant had been sent him by the Secretary of State for the express purpose of paying the gentlemen employed as above stated. A day or two after the warrant was signed we were informed that all those who had recorded forty thousand words could have a check for fifty dollars. I declined receiving of the Clerk, Mr. McIntire, \$50. I requested him to inform Mr. Craig that I had written more than eighty thousand, & hoped, as the money was due me, I might be paid. It was refused. I waited upon Mr. Craig; Explained to him the situation of my family — That my wife was in the seventh month of her pregnancy — That she was anxious to come on to me from Columbia County New York — That I wanted this money which was due to me, to send

to her, for her travelling expenses — That she was there with five small children without a home, her furniture having been shipped to Washington. To this representation, I was answered in the rudest possible manner. "No Sir! No Sir! I never break my rules."

The consequences were now proving fatal to Mrs. Weaver. I could not send her the money I had promised her. Disappointment and apprehension induced sickness, which brought her to the verge of the grave.

Disappointed in obtaining the \$100, I then applied to the Clerk for the \$50 — a sum which all others, who had written 100,000 words had received — This was also denied me, I suppose as a punishment for daring to ask for what was my due. I never mentioned these facts to Mr. Livingston or to any other person in authority by way of an appeal; but they were at the time of general notoriety in the Patent Office, and were considered as the offspring of a malicious and vindictive spirit. I now regret the necessity which requires I should give the statement; but feel that I have no right to resist "the requirement of the Secretary of State", for whose perusal these facts have been drawn up, and for no other purpose whatsoever.

I have the honor to remain very respectfully

Sir, Your obed^t. serv^t

William P. Elliot Esq.

William A. Weaver

W.A.W.

Hon Louis McLane,

Secretary of State

Department of State Pat. Office
Jan'y 28th, 1834.

Sir,

In answer to your enquiry of the 27th inst: whether I have written to Mr. Geo. B. Richards and given him the information he asked for, I have to state that on the receipt of your instructions of the 7th inst: and before I had read them quite through, several persons came into the Office, and obliged me to lay the paper aside; and not having seen

from the order to write to Mr. Richards, the paper escaped my memory till reminded of it yesterday

I immediately wrote to Mr. Richards, and herewith enclose a copy of the letter; and as a postscript refers to a former one sent him, I take the liberty to enclose a copy of it also.

I have the honor to be Sir, Your obedient servant

Ed 8916

John D. Craig

(Copy)

Dept. of State Out. Office, Dec. 7th 1833

Sir,

Yours of the 17th Ult^o to the Hon. Secretary of State is just received at this Office. It contains serious charges. Charges, which, if true, must render me totally unfit for remaining in this Office. I have therefore to request a copy of the information on which they are founded.

This I apprehend is a reasonable request, as my only object in making it, is to avoid charging any blame where it is not due.

Yours Respy

Mr. Geo H. Richards.

Signed - J^{ns} D. Craig

Ed 8916

(Copy)

Dept. of State Out. Office Jan. 27th 1834

Sir,

I am desired by the Secretary of State, to inform you of the fact, that no application was made to this Office for a patent for Improvements in Turning similar to yours, prior to issuing your Patent on that subject; and, that the rule of the Office contained in the 24th article of the Circular issued from this Office is no longer in force.

Yours respectfully

Ed 8916 Mr. Geo. H. Richards, New York.

Signed - J^{ns} D. Craig

P.S. I wrote you on the 7th. Will not have received an answer

J. D. C.

Hon. Louis McLane
Secretary of State.

Patent Office January 30th 1834.

Sir,

In answer to your note of the 27th inst. just received, I have to state, that nothing could afford me more pleasure than an immediate investigation of Mr. Elliot's charges in any mode the Secretary of State will choose; provided the evidence on both sides shall be personally confronted on oath.

With great respect,

John D. Craig.

Ed 8916

Washington, Feb 7th 1834.

To Louis McLane, Secretary
of State of the U. States.

Sir,

I have the honor to acknowledge the receipt of your note of yesterday's date requiring my attendance at the investigation of the charges preferred against the Supt. of the Patent Office to morrow at 12 o'clock.

Owing to severe indisposition which has confined me to my bed for the last 4 days, I am reduced to a state of weakness which prevents me leaving my room. I would therefore beg your indulgence for a few days in order that I may recruit my strength to be able to attend the investigation personally; but should this delay be deemed improper I will instruct my attorney in my place to attend at the time and place appointed.

I have the honor to be Your obt. servant.

W. P. Elliot

Ed 8917

Dept. of State Pat. Office

9th Jan. 1834.

Mr. Henry Bishop.

Sir,

In answer to yours of this date, stating that in order to fulfill the duties of your Office, as Messenger, you have been under the necessity of employing your son to assist you for twelve months past or more and for which he has received no compensation; - you therefore request, that he may be employed to copy the letters, and receive the compensation of two hundred dollars formally allowed to you. - I have to state, that I have no authority to comply with your request, or it should be done with great pleasure, as I am fully satisfied, your compensation is neither adequate to your labour, nor the support of your family.

Respectfully

John D. Craig.

Hon. Louis Allane
Secretary of State.

Patent Office Feb. 1, 1834.

Sir,

I take the liberty to lay before you the inclosed letter; being an answer to a communication made to the Superintendent of the Patent Office.

I hope Sir, that you will be so good as to consider this subject in a favourable manner, and grant the request of,

Your obedient servant

Henry Bishop.

Department of State,

Washington, Feb. 7. 1834.

Sir,

In the course of the examination which I have been conducting, by your direction, at the Patent Office, Mr. William

of Steiger, one of the clerks in that office, was called as a witness by Mr. William P. Elliot, and the following questions were put to him.

1. Have you not executed original drawings for applicants for patents, for your private emolument, since you have of the order of the Secretary of State forbidding it?
2. Does not Dr. Craig make the bargains with the applicants, and pay you the money for executing such drawings?
3. How do you obtain the references for the drawings alluded to?
4. Do you not obtain such references from the original papers during office hours?
5. Have you never taken original papers out of the office?
6. Did you execute the drawing now exhibited to you and bearing your initials?

These questions Mr. Steiger refused to answer, upon the ground that they implied a charge of misconduct against himself. I have thought it my duty to submit a statement of the case to you, and to ask your instruction whether the inquiries objected to are to be persisted in or waived.

I have the honor to be Sir very respectfully,

Your obed^t. Serv^t

A. C. Douglass

End 1876

Dept. of State Pat. Office

Feb 20th. 1834.

Hon. Louis McLane.

Secy of State.

Sir,

I very respectfully request, that

I may be furnished with a certified copy of a letter written by Wm P. Elliot, announcing certain complaints or charges against Mr. Bousfield; which letter was addressed to the "Hon. Louis McLane Secy. of State", and shown to me sometime in June last,

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probably near the end of that month.

I am Sir, Your obedient servant

John D. Craig

Ed M

Hon. Louis McLane
Secretary of State.

Dept. of State Pat. Office

March 25th. 1834.

Sir,

My only objection to issuing a patent on the papers submitted by James Bogardus, is, that the affidavit subjoined to the specification is not conformable to the rule prescribed, & sanctioned by former Secretaries of State, & Attorney Generals: who seem to have considered it requisite, that the applicant for a patent should himself qualify to his eligibility for obtaining it. If, however the present Secretary shall think proper to dispense with the rule, or substitute another in its place, I of course will act accordingly.

I have the honor to be, Sir,

Your obedient servant

John D. Craig.

Ed
M

Hon. Louis McLane
Secy. of State,

Dept. of State Patent Office

10th April 1834.

Sir,

I have the honor to transmit an account of fees received at this Office, for copies of papers and drawings during the first quarter of this year, with a certificate of deposit in the Bank of the Metropolis to the credit of the Treasurer of the U. States, for \$261⁴/₁₀₀

I have the honor to be Sir, Your obedient servant

John D. Craig

Ed
M

To the Hon. Lewis M. Lincoln,
Secretary of State of the United States.

Sir,

With a view to public good and
the due execution of the Patent Law of 1793, &c. the following charges
are made against John D. Craig, Superintendent of the Patent Office,
by William P. Elliot, of the City of Washington.

Charge 1. By the 9th section of the Patent Law of 1793
for granting patents, interfering applications for patents are requir-
ed to be referred to Arbitrators; - the Secretary of State choosing one,
and each of the parties one; and their decision is to be final
as far as regards the issuing of the Patent. During the whole time
Dr Craig has been in Office, he has never had an arbitration,
though often required: - and he has in some cases issued
three or more patents for the same invention; - alleging that it
is not an arbitration, because the parties would go to law afterwards.
But by the same reasoning all our inferior Courts might be
dispensed with, because the parties have an appeal to Superior
Courts. Besides this, by his course our Courts are filled with
Litigants; and the Country over run with Patentees and their
Agents, who rob the people under the specious title of a Patent
from the United States, signed by the President, Secretary of
State, and Attorney General; many of which for the want of
the due application of this 9th Section of the Patent Law, have
been surreptitiously obtained. The method of deciding interfe-
ring applications for patents has always been decided by Arbitra-
tors till Dr Craig came into office; and was the means of pre-
venting from one third to one half the number of patents
being issued that are now issued. -

Charge 2. Formerly a Book was kept in the Office
in which were recorded applications for patents, and by
means of which interfering applications could be ascertained;

as well as furnishing correct information to Applicants respecting the originality of their inventions or any interfering applications; this book has been entirely discontinued: and by consulting the Doctor's letter book, it will be seen what meagre and incorrect information he now affords inquiring applicants, compared with what was formerly done by his predecessors.

Third Charge. He has destroyed all the letters of correspondence with the Office; preserved during forty years; and continues to destroy his own, by which all examinations as to the correctness of the answers given is totally cut off.

Charge 4. There are other charges of a minor character which with justice might be made against the Doctor; such as his proverbially rude unsmooth manners to visitants to the Office; his total incompetency to discharge the duties of his office; and his general character as Superintendent; which are sufficiently manifest to the public, and need not here be further noticed.

The truth of all the above charges I am prepared to prove, if called upon, by the most incontrovertible evidence.

I have the honor to be, &c.

William P. Elliot.

Ed. J. R.

(Copy)

Sir,

Department of State,

Washington, April 7, 1834.

Your letter of the 1st inst. has been received. The report made to me by the Commissioner appointed to investigate the charges preferred by you against Mr. John Craig, the Superintendent of the Patent Office, having been prepared solely for the information of the Secretary of State, it is not thought proper to furnish you with the requested copy. No reason is perceived, however, for withholding from you the result of the investigation, as communicated to Mr. Craig

in a letter addressed to him on the 28th ult. That result was, that although from a view of all the circumstances it was not deemed expedient to remove him from Office, yet that there was much to censure, in his conduct, and that of Mr. Steiger, as developed in the commination which had taken place. Mr. Coning was also directed to comply strictly, for the future, with the orders of the 17th October and 16th ^{November} last, — to consider no case as exempt from the application of the 9th section of the Act of Feb 21, 1793, until the patent should have been officially issued — to file all the official correspondence — to keep a book corresponding to that formerly kept under the name of the "Caveat Book" — and not to suffer original papers to be taken from the Office without the permission of the Secretary of State.

I am Sir, very respectfully,
 To Mr. William D. Elliot, Louis McLane
 Washington.

End
 JWB

To the President of Washington, April 9th, 1834.
 the United States,

Sir,

Some time ago, from a sense of duty, and with a view to correct certain abuses which had crept into the administration of the duties of the Patent Office, I deemed it proper to prefer certain charges against the Superintendent of the Patent Office, to the Secretary of State. The Secretary ordered an investigation into the same, by a Commissioner, appointed for that purpose, who made a report to the Secretary, which report sustains me in every charge.

The Secretary, although he finds him guilty, privately reprehends him and orders the abuses to be corrected. I requested a copy of the Report, and of his letter to the Superintendent;

but was refused, on the ground contained in the Secretary's letter to me; a copy of which is enclosed. As I am not content with this confidential reprisandum, I have thought proper to lay the whole matter before the President.

And I will here observe that this investigation developed facts of a more outrageous character than those with which he was charged; for not only was it proved that the official correspondence was destroyed; but it appears that the Letter Books containing answers to the letters from the beginning of the Office to the year 1815, and which were in his possession as late as the year 1831 or 1832, are now missing.

His misapprehension of the Patent Law, gross ignorance, and total incompetency were clearly proved from his own letter Books, as may be seen by the report referred to, and which is now on file in the Department of State.

Great abuses of a different nature still exist in the Patent Office of which the Superintendent must be perfectly well aware; but these I shall leave for others to expose.

From this Report and Decision it will be seen what has been the conduct of the present Superintendent in office; and what part I have acted;—and I leave it to the President to judge and decide if he is a proper person to hold such an office.

I am, Sir, very respectfully,

William P. Elliot.

The enquiry has been completed, and on due consideration the report of the Secretary of State fully approved by the President and will not be opened unless new charges made

End of & substantiated by proof

A. J.

Washington City, July 16th, 1834.

To the Honourable John Forsyth

Secretary of State.

Sir, I beg leave to lay before

you the inclosed petition.

With the greatest respect your obedient servant,

Henry Bishop

Es 24K

To the Hon. John Forsyth,
Secretary of State.

Washington City, July 16th 1834.

The petition of Henry Bishop, Messenger in the Patent Office.

Your petitioner respectfully begs leave to state, that in the year 1830, he was employed, by the present Superintendent of the Patent Office, as messenger & Letter copier; he was informed by the Superintendent, of the duties to be performed as Messenger, and as letter copier he was to keep charge of the letter book, and record all the Official letters sent from the Office; he was likewise notified, that his compensation would be four hundred dollars a year for his duties as messenger, and one hundred dollars or more for recording the letters.

The next year the Secretary of State (the Hon. E. Livingston) directed the Superintendent of the Patent Office, to add another hundred dollars to the compensation for recording the letters, making two hundred dollars for copying the letters.

When the late Secretary of State, the Hon. Louis McLane, came into office, he gave orders to the Superintendent to discontinue the compensation for recording the letters, alleging that as the Messenger has a regular salary for his services, the compensation for recording the letters was extra pay, which he considered illegal; but your petitioner begs leave to differ in opinion, on this subject, with the late Hon. Secretary, for these reasons, the two hundred dollars in question was not extra pay, because when your petitioner was appointed to the office he holds he was employed for this express purpose to perform this duty of recording the letters. Your petitioner here begs leave to refer the Hon. Secretary to a letter on file in the Department of State, from the Supt. of the Patent Office, to the late Secretary of State, dated Oct. 15th 1833, from which the following extract is made, "and it can be made to appear by the testi-

mony of the Rev. C. B. Brown that he (your petitioner) was engaged to perform the double duties of Messenger and Letter copier: for the former he was to receive \$400, & for the latter \$100, or more per annum; which agreement was sanctioned by Mr. Van Buren then Secretary of State.

The practice of employing the messenger to record the letters, has received the sanction of the following Hon. Gentlemen, who were Secretaries of State, Messrs. Adams, Clay, Martin Van Buren, and Livingstone.

The cause of employing the messenger at first, to copy the letters, was, that there was few clerks in the Patent Office, that they could not attend to it; this cause still continues; the correspondence of the office has greatly increased of late years; your petitioner has frequently a dozen letters to record in a day.

Your petitioner's compensation was discontinued from the last day of Sept. 1833, since that time he has continued as before under the direction of the Superintendent, to record the letters; to the best of his ability; and there is now nine months pay due him, amounting to \$150, to the first of the present month, and an appropriation has been made by Congress of \$200, for the present year, to pay for recording the letters, the same will be found in the estimate of the Contingent expenses of the Patent Office.

Your petitioner humbly hopes that your Excellency will perceive the justice of his claim, it amounts to this, a contract was made with your petitioner, to perform a certain work, for which he was to receive a certain compensation; he has performed his part faithfully, no complaint has been made; Congress has made an appropriation to meet the claim, and why should it be withheld? especially as your petitioner is a poor man with a large family to maintain.

Your petitioner's salary as messenger is but \$400, a year, while the messengers in all other Offices receive a salary of \$700, per annum, while the duties in this Office are as arduous and responsible as in any other; the \$200, a year for recording the letters made your petitioner's salary \$600 a year, with which he was satis-

find, but the reduction of one third from this small sum, has very much embarrassed his affairs and on which he is unable to support his family.

The prayer of your petitioner is that your Excellency will restore what your predecessor has withheld, that his arrears may be paid, and his compensation placed as it was when the late Secretary came into office.

And your petitioner will ever pray.

Henry Bishop

Ed 1416

Hon. John Forsyth
Secretary of State.

Patent Office, July 25, 1834.

Sir,

When I accepted of an appointment in this Office, the idea was held out to me, that if a vacancy occurred in either of the other Clerkships, in the Office, my salary should be raised from \$800 to \$1000 per annum.

Such a vacancy has now taken place by the death of Mr. Walker. I therefore beg leave respectfully to solicit, the Hon. Secretary of State, to realise the expectation formerly held out.

In reference to my qualifications, I respectfully refer to Dr. Henry the Superintendent.

I remain with great respect,

Yours humble servant

William T. Hizer

Ed 1416

Patent Office July 28th 1834.

Sir,

The Superintendent of the Patent Office has the honor to acknowledge the return of his note of the 20th inst. with the Secretary of State's endorsement, asking for facts in reference to Mr. Walker's capability, for discharging the duties assigned to his late father.

In reply to which, the Superintendent begs leave to state, that

Mr. Parker writes a tolerable fair hand, though inferior ^{to} his late father, but with as much speed. For any other qualification, the Superintendent is unable to give any opinion, as Mr. Parker has not been employed in this office, except for copying. — His late father was employed in the same business.

Ex-
p-116

Patent Office, July 30th, 1834.

Sir,

In answer to yours of the 29th inst. desiring to know what portion of Patents heretofore granted, remain to be recorded, and what force is now employed in bringing down the recording of Patents, to this date, — I have the honor to state: — That all the Patents issued by this office, prior to March 19th, 1834, are recorded, and that Mr. Stephen Macdonald is the only person employed on that business.

When all the Patents issued prior to the fall of 1832, were recorded, said Mr. Macdonald, was appointed by Mr. Livingston, then Secretary of State, to record the Patents as issued, until the balance of the appropriation granted by Congress for that purpose should be expended; during the following winter however, he was taken off that business, to make out a general index of all the Patents then recorded, being considered the most competent person known, for that purpose; said index occupied his attention for nearly five months, since which time he has been constantly employed in recording the Patents issued, subsequent to his being engaged on said Index; and having brought down the recording to said 19th of March, will, at the rate he labours, overtake the current issuing of Patents, in about six weeks: after which, he is to record the Patents daily as issued.

I have the honor to remain,

Yours obed^t. serv^t

Hon. John Forsyth
Secretary of State.

John D. Craig

Ex-
p-116

Patent Office, August 23^d 1834.

Sir,

In reference to your inquiry, relative to the rules of this Office, with respect to applicants for Patents, furnishing Models:—I have the honor to state:—

That the three last Secretaries of State, made it imperative on the Superintendent, to issue no patent for any improvement susceptible of a Model, until a good Model, agreeing with the specification and drawing was furnished, nor has the rule been dispensed with in a single instance, though each of the Secretaries of State were frequently importuned on the subject.

Honorable John Forsyth,

Your O^bd^t Serv^t

Secretary of State

John D. Craig

End
JDC

Hon. John Forsyth
Secretary of State,

Patent Office, Sep. 17, 1834.

Sir,

I have the honor to acknowledge your Note of the 16th inst. with Regulations for this Office, and the recording of the patents.

As far as in my power, these regulations shall be strictly adhered to.

With great respect,

Your humble servant,

John D. Craig

End
JDC

Patent Office Sep. 22, 1834.

Sir,

11 O'Clock A.M.

No communication from the Department of State, has reached this Office for several days, tho' Mr. Steiger informs me, that one was sent on Saturday.

With great respect,

Hon. John Forsyth
Secretary of State

John D. Craig

End
JDC

Patent Office, October 8th 1834.

Sir,

I have the honor to acknowledge the receipt of yours of the 1st instant, requiring the amount of deposits, now in Bank to the credit of Applicants for Patents, to be transferred immediately to the Treasury, &c. which order in all its details, shall be carried into execution with all convenient dispatch.

With regard to the authority for the practice, now objected to; — as far as I am concerned, it was derived, from my having learned, on taking charge of the Office, that such was then, and had, for a number of years, been the uniform practice in the Office: — On that occasion, my predecessor, Doct. Thomas O. Jones, transferred to my credit in the Bank, the amount of Deposits (\$1200) which he had then in charge, and the same account has been kept open ever since.

The practice in question was certainly well known, to Mr. Van Buren, Mr. Livingston, and Mr. McLane, for all the money accounts belonging to the Office, were minutely explained to each of those Gentlemen, upon his first visit to the Office, as Secretary of State, nor was the smallest objection to the practice, made by any one of them.

I have the honor to remain,

Honorable John Forsyth
Secretary of State.

Your obt. Serv^t
John D. Craig

Hon. John Forsyth
Secretary of State.

Patent Office October 8th 1834.

Sir,

In answer to yours of the 7th instant, returning the "Account of Fees received at the Patent Office for the week ending Oct. 4. 1834"; I have to state, that in consequence of not having received the printed "Information to persons having business to transact at the Patent Office"; until Monday last, I did

not think myself authorised to change the practice of the Office, being unable to give correspondents the reason of the change: - The Treasury fees received were therefore deposited during the last week as formerly, and the new practice commenced on Monday last. - The amount of all such deposits are now in train to be transferred into the Treasury, having commenced with those deposits, received at the earliest date, and transferring them in chronological order.

As the duplicate Bank receipts are received, one of them is inclosed in a letter to the owner, accompanied with a copy of the printed information from the Department of State.

Respecting your order to "open an account with the Bank of the Metropolis in my own name" as Superintendent of the Patent Office, and to deposit from time to time, to my credit on that account, the fees received for recording transfers, and for copies of Patents Drawings &c. I have to state, that ever since the Public Deposits were withdrawn from the United States Bank and its Branches, I have had an account open as Superintendent, with the Bank of the Metropolis: the appropriations for the incidental & contingent expenses of the Office, & also for the recording patents, being deposited there to my credit: and if said Bank will keep a separate account for the Fees allotted to, in your order, and receive the small sums on deposit as they come to the Office, I shall be very well satisfied with the practice; I must observe however, that, a great part of the money sent to the Office, in payment for these fees, is in notes from Country Banks, which will not be received at the Bank of the Metropolis.

Inclosed is an account of the money deposited in Bank last week, as formerly, the respective sums being deposited the day that they were received at the Office.

I remain,

Yours obt. servt

John D. Craig

Ed
J.D.C.

Patent Office, October 3rd 1854.

Sir,

I have the honor to acknowledge the receipt of yours of the 1st instant, requiring the account of deposits, now in Credits to the credit of Applicants for Patents, to be transferred immediately to the Treasury, to which order in all its details, shall be carried into execution with all convenient dispatch.

With regard to the authority for the practice, now objected to; - as far as I am concerned, it was derived, from my having learned, on taking charge of the Office, that such was then, and had, for a number of years, been the uniform practice in the Office: - On that occasion, my predecessor, Doct. Thomas C. Jones, transferred to my credit in the Bank, the amount of Deposits (\$1200) which he had then in charge, and the same account has been kept open ever since.

The practice in question was certainly well known, to Mr. Van Buren, Mr. Livingston, and Mr. McLane, for all the money accounts belonging to the Office, were minutely explained to each of those Gentlemen, upon his first visit to the Office, as Secretary of State, nor was the smallest objection to the practice, made by any one of them.

I have the honor to remain,

Respectfully John Forsyth
Secretary of State.

Yours obt. Serv.
John D. Craig

Hon. John Forsyth
Secretary of State.

Patent Office October 8th, 1854.

Sir,

In answer to yours of the 7th instant, returning the 'Account of Fees received at the Patent Office for the week ending Oct 4, 1854'; I have to state, that in consequence of not having received the printed 'Information to persons having business to transact at the Patent Office'; until Monday last, I did

not think myself authorized to change the practice of the Office, being unable to give correspondents the reason of the change: - The Treasury fees received were therefore deposited during the last week as formerly, and the new practice commenced on Monday last. - The amount of all such deposits are now in course to be transferred into the Treasury, having commenced with those deposits, received at the earliest date, and transferring them in chronological order.

As the duplicate Bank receipts are received, one of them is inclosed in a letter to the owner, accompanied with a copy of the printed information from the Department of State.

Respecting your order to "open an account with the Bank of the Metropolis, in my own name as Superintendent of the Patent Office, and to deposit from time to time, to my credit on that account, the fees received for recording transfers, and for copies of Patents Drawings &c. I have to state, that ever since the Public Deposits were withdrawn from the United States Bank and its Branches, I have had an account opened as Superintendent, with the Bank of the Metropolis; the appropriations for the incidental & contingent expenses of the Office, & also for the recording Patents, being deposited there to my credit: and if said Bank will keep a separate account for the Fees alluded to, in your order, and receive the small sums on deposit as they come to the Office, I shall be very well satisfied with the practice; I must observe however, that, a great part of the money sent to the Office, in payment for these fees, is in notes from Country Banks, which will not be received at the Bank of the Metropolis.

Inclosed is an account of the money deposited in Bank last week, as formerly, the respective sums being deposited the day that they were received at the Office.

I remain,

Yours obt. servt.

John D. Craig

Ed
J.D.C.

The Honorable John Forsyth
Secretary of State.

Washington, Nov. 14, 1834

Sir,

I beg leave to state, that in order to fulfil the duties of my Office as messenger in the Patent Office, I have been sensible the necessity of employing a person to assist me every winter, at my own expense; the wood has to be carried from the cellar to the second story of a lofty building, which is impossible for one person to accomplish, and the business of the Office generally is, much greater in winter than any other season.

The reduction of my salary from \$600. to \$400 renders it impossible for me to employ a person as heretofore.

I therefore respectfully request, that the Hon. Secretary will direct that a labourer may be employed by the Dept. to assist me during the winter.

I beg leave to refer to the Superintendent of the Patent Office for the correctness of this statement.

With the greatest respect,

Your most Obedient Servant

Henry Bishop

Messenger of the Patent Office.

Hon. John Forsyth
Secretary of State.

Patent Office Nov. 8th 1834.

Sir,

In reference to Mr. Henry Bishop's letter, referred to this Office, I beg leave to state, that I believe it too much for any one person to discharge, all the duties incumbent in the messenger of this Office, and carry the fire wood from the cellar, & attend the fires, during the winter season. Mr. Bishop, than whom no man can

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be more industrious, or faithful his always had to employ an assistant through the winter; which it is obvious he cannot now do, on his diminished salary, & support himself, a wife, & six children.

Very respectfully I am humble Serv^t

John D. Craig

End
JDC

Honorable John Forsyth
Secretary of State.

Patent Office, Nov^r 10th 1834.

Sir,

In regard to Mr. Macdonald's note of the 7th inst. referred to this Office. They have to state, that a general Index of all the Patents issued, from the establishment of the Office in 1790, to the end of the year 1830, was completed about eighteen months ago; and it would be a great convenience to have it continued up to the 1st of September last, when the new arrangements took place in the Office; more especially as the Volume containing said Index has ample room for the purpose; and no person can be better qualified for the task than Mr. Macdonald.

The unexpended Balance of the Accruing appropriation on the 1st October last, as per the Comptroller's receipt, was \$2860⁰⁰/₁₀₀.

Since that date, Mr. Macdonald received . . . \$72.18

And Mr. Walker, . . . 84⁰⁰/₁₀₀ - 182.65

Leaving an unexpended balance of . . . Dols^r 2698.17

Both these Gentlemen have finished the task assigned to them.

Yours obt. Serv^t

John D. Craig

End JDC

Honorable John Forsyth
Secretary of State.

Patent Office Nov^r 11th 1834.

Sir,

I have the honor to acknowledge

the receipt of Wm. P. Elliott's Letter of the 5th instant, containing various charges, and referred to this Office for an explanation: — In conformity to which, I beg leave to observe in general, that in consequence of having exposed, shortly after coming into this Office, various frauds, that had been committed, by some persons formerly in it; I have experienced the most inveterate hostility, in a certain quarter ever since; so that, if I were to credit reports, rank cowardice alone, has saved me from assassinations.

With respect to the charges preferred against me to the late Secretary of State, I shall only observe, that a suit is pending in the District Court, for the purpose of proving the falsehood of said charges: and,

As for the causes that lead to the complainant's ejection from the building, I would state, in the first place, that he had no right to be there; and the room he occupied was wanted, for the convenience of those who were entitled to be there: — Second, continued complaints were coming from the Clerks who wrote in the same room, of the annoyance they experienced, from the noisy conversation carried on between him, and his visitors, in consequence of which, they found it impossible to avoid errors in their writing: — A third reason was, that complaints of his wanton charges, brought reflections and insures on the Office, with which he was identified: — But above all, on being prohibited from pocketing any longer the copying and recording fees, (by which the revenue has been defrauded of several thousand dollars) he displayed, such malignancy of disposition, that it was not thought prudent, to suffer him to remain in the building; especially as there were strong suspicions, that he was in possession of false or duplicate keys, which gave him access to the rooms in the Office, when no other person was there: — and,

As for the President being dissatisfied with his removal,

as he states, the fact was so very different, that, it was by Mr. Steepen's express command to me, that I applied to the Secretary of State for his removal: —

As for the late "Outrages" of which he complains, with regard to the first, I have only to state, that it has been my constant practice, to keep unpatented models in my case room, and to prevent any person, not belonging to the Office, from examining them: — and, as for his final charge, I would beg leave to state the following simple facts: that on the 23rd day of October, Mr. Mayo came into my room, and handed me a paper, observing that there was a letter, asking for some information from the Patent Office. I said "very well, leave the letter with me and I will answer it"; he replied, that the person to whom the letter was written, wanted the information verbally: I told him such was not the practice of the Office, and would not be complied with: — William P. Elliot, then, made his appearance, from behind his Despatch Courier and observed, that that letter was written to him and he must have the information to answer it: — To which demand, . . .

. . . I gave a silent negative, by taking up — not a newspaper, as he states, but a pen, and writing an answer to the letter in question, a copy of which is herewith inclosed, and to which by due course of mail I received an answer in which Mr. Steepen informed me, that he had received my letter of the 14th October, it having been in the Post Office some days, in consequence of the neglect of the carrier; and that he had written to the person alluded to in my letter from a belief, that he belonged to the Office.

It is with extreme regret, that I have so far transgressed upon the time of the Secretary of State; to those acquainted with the character in question, such explanations would not be requisite; and I sincerely hope, Sir, that you will never

have cause to know as much of him, as is known to,
 Your humble servant
 John D. Craig

Ed
 MB

(Copy)

Patent Office, Oct: 23rd 1834.

Sir,

A person with whom this Office can have
 no intercourse, was this day making inquiry, respecting your
 papers and money sent here for a patent.

Said papers and money were received, on the 14th
 inst. and the money, (\$30) returned, to your address, on the same
 day, for reasons therein stated, and which I hope you have re-
 ceived

Yours respty

Mr. John R. Sleeper

John D. Craig

Ed MB Oct: 24

To John Forsyth, Secretary
 of State of the U. States.

Washington Nov: 15th 1834.

Sir,

I have the honor to acknowledge
 the receipt of your communication of the 15th instant, in
 answer to mine of the 5th, complaining of Dr. Craig's Official
 Conduct in refusing information when respectfully solicit-
 ed respecting papers and money sent to the Patent Office and
 supposed to be lost. It would have given me satisfaction to
 have seen what apology could be made by a public Officer
 for such rude and ungentlemanly conduct: - however I
 must at present submit.

This morning I called on the Superintendent of the
 Patent Office with the enclosed letter from Mr. Adams Rogers,
 of Phil: respecting an improvement in the Printing Press, which
 he wishes to patent; but was again treated with the same rude-

sue as formerly complained of, and all information desired - the Superintendent reminding me and his Clerk referring to the course. But, Sir, what can be expected from men who have pronounced the salutary rules of your Department tyrannical, forbidding Clerks receiving presents or fees for doing extra business as they term it, and who continue to put these regulations at defiance; which I pledge myself to prove, if called upon, by the most uncontrollable evidence.

I am, Sir, Your obt^d Serv^t

W. D. Elliott

End

J. J. B.

To John Forsythe
Secretary of State, of the
United States.

Washington, Nov^r 17th, 1834.

Sir,

I have the honor to acknowledge the receipt of your communication of the 17th inst. requesting me to furnish your Department with such evidence as I may possess, in relation to the Complaint which I recently made of the Conduct of the Officers of the Patent Office.

In compliance with this request I called on the Superintendent of the Patent Office and asked permission to examine his Letter Book, and Port-Folio of Drawings for the present year, in accordance with the practice of the Office under Dr. Thornton. He remained stubbornly silent. I then went to Mr. Steiger, the Clerk having charge of them, and made a similar request. His answer was, "You cannot see them, as I before told you: and I shall hold no intercourse with you."

Now, Sir, the object of this letter is, respectfully to request, that you will please to give directions to the Superintendent of

the Patent Office to show me what papers, drawings, and books I may have occasion to examine, in order to enable me to comply with your request.

I am, Sir, Your obedient servant

Wm P. Elliot

To the Hon^{ble} John Forsyth,
Secretary of State of the United States.

Washington November 23rd 1832.

Sir,

I have the honor to acknowledge the receipt of your letter of the 20th instancet.

You were quite correct, Sir, in supposing from the pledge I had given to prove the charge, incidentally made against some of the Officers of the Patent Office, that the proof was in my possession at the time I made the charge. — But, I regret you cannot consent to my examining the Records of the Office, in order to enable me more fully to sustain the charge, without having recourse to proof implicating a Gentleman of your Department.

The following evidence will no doubt be deemed sufficient.

A few days ago, Mr. William C. Barnes called on Dr. Jas: P. Jones, of your Department, with a view of having a number of Specifications and Drawings prepared for inventions which he was about to have patented. The Doctor agreed to correct his papers, and to procure the necessary drawings at a reasonable price: and for this purpose Mr. W. J. Steiger of the Patent Office was employed to execute some of them. The Doctor received from Mr. Barnes ten dollars as full payment. Mr. C. showed me the original specifications corrected in the hand writing of the Doctor; but which were subsequently copied by another. Dr. Mayo, of the Patent Office, will make oath, that Mr. Dick-

and informed him that Dr. Jones had confessed to him that he did receive presents from Patentees, for doing their business. And he will also swear that many of the specifications which come under his notice in copying them, bear the signature of Dr. Jones as a witness, with other evidence of their having been written by him.

About the beginning of the present month, Mr. George Cameron, of this place, called on Dr. Jones to get a drawing made of his fine Engine, which he was about to patent. The Doctor referred him to Mr. Steiger, who executed the drawing, and charged him five dollars for the same, as will appear by the affidavit of Mr. C. herewith enclosed.

That Dr. Craig is well aware of the existence of similar infractions of the orders of your Department, and encourages the continuance of them, is evident from the fact that he declared to Dr. Jones that the orders were "hypocritical"; and perseveres in putting them at defiance by receiving Drawings and Papers from the hands of Dr. Jones & Mr. Steiger, executed by themselves, for private emolument, without forbidding the practice; — which may be seen by reference to the files of the Office.

In requesting that the record might be submitted to my examination I had no intention "to seek for proof to sustain a charge which I had made without proof"; but merely to avoid the necessity of adducing such proofs I feared might implicate Dr. Jones. Besides, in making the request I thought I was asking no more than any citizen had a right to demand, in accordance with the spirit and usage of this Office; and in conformity with the instructions of Mr. Mallory, on file in the Patent Office; — and to your own instructions recently promulgated to the public through the Official Newspaper in the following words. "Cases not having been recognized by the prescriptions

of the United States, no paper will hereafter be received under such claims, and those which have been heretofore deposited, if permitted to remain, will be open to public inspection.

In order to point out other cases of violations of orders, and to adduce further proof that they are committed with the perfect knowledge of the Superintendent, I am ready to attend at the Patent Office with any Agent you may please to appoint for that purpose.

Nothing can be more unpleasant to my feelings than making Complaints and preferring Charges; but, Sir, it so happens that the abuses complained of in the Patent Office, not only affect the public, but are peculiarly injurious to me; for, ^{how} can I enter into competition with men who receive regular salaries, in making Drawings &c. Besides, I have it from undoubted authority that the Superintendent uses all his Official influence in preventing me from getting business from Applicants for Patents; - and in endeavouring to injure my moral character.

I am, Sir, Your obedient servant,

William P. Elliot.

Ex. 14

Washington, Nov. 18, 1834.

On or about the 15th instant I called on Dr. Thos P. Jones at this place, to have a drawing executed of my Fire Engine, for which I was about obtaining a patent; The Dr. said he did not make drawings himself; but would find me some one who could make me a drawing; and referred me to Mr. Stigz, a Clerk in the Patent Office. I went to Mr. S. who made the drawing; and when I asked him how much he charged; answered, five dollars.

George Cameron

County of Wash. }
District of Col. } J.

On this 18th day of Nov 1834. personally appeared before the subscriber a Just: of the peace for said County, George

Cameron, before named, who made oath to the truth of the foregoing statement.

Hest Smith J. Peace.

End
JWC

Extract from Mr. William P. Elliott's letter to the Secretary of State dated November 24th 1854.

"Dr. May of the Patent Office will make oath, that Mr. Dickens informed him that Dr. Jones had confessed to him that he did receive presents from patentees for doing their business."

On the foregoing paragraph I deem it proper to make the following remarks.

Dr. Mayo having represented to me that Dr. Jones was frequently at the patent office and was extensively engaged in procuring papers and otherwise assisting persons obtaining or applying for patents, and, (as Dr. M. believed) received compensation for such services, contrary to a regulation of the Secretary of State, I informed Dr. Jones, by the Secretary's direction, of this representation; but without mentioning by whom it had been made.

Dr. Jones stated in explanation, that his frequent visits to the patent office were for the purpose of obtaining information respecting new patents for publication in the Franklin Journal, but that such visits were not made within the hours prescribed for his attendance at the Department of State; that he did not make any charge, nor receive any compensation for the assistance rendered by him to persons obtaining or applying for patents, although in consequence of his prior connection with the patent office, and his supposed knowledge of the subject, he was often called on for such assistance; but that he was frequently consulted by his friends on matters relating to new inventions, and to the patent laws, and that for his opinions given on such occasions, and given out of office hours, his friends sometimes made him presents.

When I next saw Dr. Mayo I acquainted him with Dr. Jones' explanation.

A. Dickens. Nov. 25, 1854. Dept. of State.

End
JWC

Honorable John Forsyth,
Secretary of State.

Patent Office, November 29th, 1854.

Sir.

I have the honor to acknowledge the receipt of your note of the 27th instant, enclosing an Extract of a Letter from Wm. P. Elliot Esq. requesting that I would communicate such information to the Department, as I might possess, relative to the Statements in said extract:—In answer to which I beg leave to state, that in reference to Mr. Grimes' affair, all that I know is, that he some day last week, brought into the Office two models with the requisite papers and drawings; These papers were certainly neither in the hand writing of Doc. Jones or Mr. Steiger:—As for the case of Mr. George Cameron, I never heard of it till now, and therefore can say nothing concerning it:—Respecting the papers said to be made out and amended by Doc. Jones, I have to state, that I have examined the files for the last fourteen months and found only one paper on which any thing like Doc. Jones' hand writing is to be seen: it is herewith enclosed:—

Doc. Jones has occasionally brought papers, models, and drawings into the office, which I have understood to have been directed to his care, but neither papers nor drawings can I recollect to be in his hand writing during the last twelve months.

But it is asserted, "that I am well aware of the existence of similar infractions of the order of your Department and that I encourage the continuance of them":—and in proof of the assertion it is said, that I pronounced the order referred to as "tyrannical"; Such proof might be very acceptable to Wm. P. Elliot but, I hope I am not yet under the dominions of Siphon, where, the object to a law, is deemed a violation of it.

If the order alluded to be one issued by the late Secretary of State, I have pronounced it tyrannical and unjust; but Mr. P. Elliot with all his spies and Informers, cannot produce a single instance, in which I have either encouraged, or committed,

the violation of that or any other order from the same Department.

With great respect, I remain,

Your humble servant,

John D. Craig

End JDC

Honorable John Forsyth
Secretary of State.

Patent Office,

Sir,

November 29th, 1834.

I have the honor to acknowledge the receipt of your communication of the 27th inst., enclosing "an Extract of a Letter from Wm. P. Elliot Esq. of this City", and requesting me to communicate such information as I may possess relative to the statements therein contained and such explanations as may be necessary:—

With reference to Doct. Thomas P. Jones, I beg leave to state, that I have examined the recently patented papers on file in this office, and as stated have found his name subscribed to several of them as a witness, but whether any of these specifications, which are in different hands were written by Doct. Jones, I am not sufficiently familiar with his writing to decide:— With regard to his agreement with Mr. Wm. C. Grimes, all that I know is that he undertook to procure the necessary drawings; I have examined the late specifications of Mr. G. now in this office, and find that they were not introduced, in the manner stated in the extract before me, nor is Doct. Jones a subscribing witness to either of them:—

With regard to the deposition of Mr. George Cameron, quoted in the extract, I beg leave to state, that I am willing to make affidavits, I never received a writ from him:— that I can prove by the testimony of Mr. Thomas Shriver of Baltimore, who was at my house and actually drew great part of Cameron's drawing, I never expected to receive any thing; and it was well understood at the time, that this drawing was not intended to make a part of an

applications for a patent; but to raise a subscription for the purpose of testing the principle of his Machine (as you will see by the accompanying Certificate (No. 1.) of Mr. J. T. Callan a highly respectable gentleman & the druggist in my neighbourhood, to whom Comstock (evidently Mr. E's tool for this occasion) applied immediately on leaving my house.

As regards the drawings of Mr. Grimes and others, said to have been executed by me. I shew by your indulgence, while I endeavour to make an accurate statement of such facts as relate to the business and to my connection with the Office from the beginning, and which, we think, have no important bearing upon myself and others; especially, since the present is the first fair opportunity, that has been afforded me of so doing: -

When Mr. Malone decided that the copying fees instead of being received by Mr. H. P. Elliot, should be paid into the Treasury, there was no Clerk in the Office qualified to make copies of the official drawings, except Mr. E. and the Office was until the day of my arrival compelled to continue that business in his hands, he receiving for said drawings, not the legal fee of \$2 per sheet, but whatever he chose to charge, which often amounted to five times that sum: - Such, Sir, was the situation of affairs: - the Office without a Draughtsman, and the salary of \$800, evidently not worth the attention of a person competent to discharge the duties of both, a Clerk and Draughtsman; indeed, I have it in the hand writing of Mr. Elliot himself, that he declined accepting for the situation, when I received at Baltimore a letter from Dr. Craig, of which the enclosed is a copy (No. 2) inviting me to let him name me for the situation, and in a subsequent letter, (from which an extract is ^{here} sent, No. 3) in answer to mine to know the duties and regulations of the Office &c. a direct reference is made to drawings, with which the Office had no business I might execute for applicants during "out of office hours", as some compensation for the smallness of the salary, no order or usage of the Patent Office to forbid it, existing, at that time, on the contrary, Mr. Elliot had been executing such drawings for applicants at all hours, both in and

out of office, and received hundreds in his time from Dr. Craig, however sensitised he has since proved himself for such disinterested kindness, and however sensitised to infractions of the orders from your Department, he may wish to appear to you Sir, on the present occasion: and this fact was well known to Mr. McLane.

I accepted the invitation thus kindly given by Dr. Craig, was no sooner nominated than appointed, commenced my duties on the 2^d of December last, and made original drawings during out of office hours, for applicants for patents, before the expiration of the month however, a complaint was lodged by Mr. E. and an order obtained in his favour, without explanation & without affording me the slightest opportunity to show that the business was perfectly innocent in itself, was no part of the public business, could have no corrupt influence or evil tendency whatever, on the contrary, was of great service to the Office; but above all Sir, without considering the smallness of my salary, it not being sufficient, even after the most rigid economy, to defray the expenses of my family: — such an order was obtained from Mr. McLane, which although expressed in general terms, restricted me in the practice of making drawings, in direct opposition to the understanding with the Superintendent under which I had relinquished my business at Baltimore with to me, great sacrifices to accept the appointment: — I confess to you Sir, that I continued to make original drawings after the reception of this order, for no other resource was left me to support my family, whilst at the same time, let me assure you Sir, that I would rather have seen them suffer than have been guilty of any conduct not strictly correct and honourable: it is not my character, as hundreds in my native City, of Baltimore, and among them individuals of the first standing can testify if necessary. — It is hardly requisite to mention that such exposure to the examination which took place in March

last, the order was reiterated and although the description of work ^{which} I had done previous to that order, was sent in point to Mr. Stone, a Druggistman convenient to the Office as will appear by the enclosed certificate of that Gentleman (No 4); I do not pretend to deny that I have executed original drawings in out of office hours, among which are those referred to as coming through Doct. Jones, in order as I have already stated to assist in the support of my family; trusting that a faithful discharge of my official duties would be all that would be required of me, without reference to a trifling deviation from an order, not your order Sir, but made by your predecessor under the circumstances just detailed and which you had the power to annul or confirm whenever you pleased:—

In conclusion, if I have been mistaken and have erred in the course pursued, I hope, all the circumstances of my case considered, it will not be construed to the serious injury of myself or of those whose feelings of disinterested friendship alone, for me caused them to be at all connected in the business, and if after the explanations which I have thus kindly, for the first time been permitted to make, should you gratify your informant, whom I know to be the rank enemy of our venerable President and of all who write themselves his friends except — Doct. Mayo — by confirming the order in question, however hard it may bear upon me and mine Sir; I shall observe it most rigidly, and trust to the justice of the Secretary of State, for such an increase of my salary, as will place me beyond the necessity of resorting to extra means for a support.

All which is most respectfully submitted by Sir,

With great respect,

Your most Obedt. Servt

Wm Tell Steiger

Washington 28th Nov: 1834.

I hereby certify, that Mr. George Cusumano called on me lately say three or four weeks since - & showed me a drawing of a fine engine & at the same time handed me a subscription paper which he was carrying about for the purpose of raising money to build a machine for the purpose of testing the ability of the principle of his invention.

John F. Collins.

Ed J. H.

(Copy)

Patent Office, October 23rd 1833.

Dear Sir,

There is some prospect of a vacancy in this Office, which I think you would fill to advantage. The salary at present is only \$800 per annum, but if a competent person had the situation, I have no doubt that it would be augmented by Congress to \$1000: Should it appear an object to you worth acceptance, I would thank you to let me know, as early as convenient, that I might mention you to the President & Secretary of State before any other may apply.

Mr. Wm Tell Steiger.

Yours truly,

Baltimore Md.

John D. Conig.

Ed J. H.

Extract from Dr. Conig's Letter of Oct. 26. 1833.

"In reply to yours of the 24th inst. I have to state, that the Office hours are from 9 to 3 o'clock - the 'permaning' of the situation, during good behaviour - the business, filling up Letters Patent - on parchment - recording of assignments, and making out copies of patents, papers and drawings when called for, - and the time of commencing as soon as convenient.

"Applicants for patents frequently want some person here to execute drawings, by which out of office hours you may realize something considerable."

Ed J. H.

I certify that my profession is that of a draughtsman, for the
preparation of drawings & specifications for Patents. That they have
been recommended to me repeatedly by Mr. Craig, & that it has been my
profession since Feb. last.

Henry Stone

Patent Office Dec. 1. 1834.

The Superintendent of the Patent Office presents his
respects to the Secretary of State, and begs leave to refer the inclosed
letter from G. Sullivan, Esq. to the Department, for instructions,
in relation to its contents.

The Hon. J. Forsyth
Secretary of State.

Washington Dec. 7. 1834.

Sir.

In reply to your note of the 28th ult^o
requesting that I would communicate to the Department such
information as I may possess relative to certain statements made
by Mr. Wm. S. Elliot, I have the honor to inform you that Mr. Wm.
C. Grimes and myself have long been correspondents, our let-
ters relating generally to inventions made by him, the object
on his part having been, solely, to ascertain my opinion of the
utility & originality of his machines. Upon those points,
I have communicated my ideas very freely; but Mr. Grimes has
never proposed to me, so far as I recollect, to draw up specifications
for the Patent Office, or if he has proposed it, it has been declined.
It is a business which he has performed for himself, and to which
he is perfectly competent.

With respect to the ten dollars of which Mr. Elliot
speaks, its history is as follows. About twelve months since,
Mr. Grimes remitted to me one hundred dollars, portions of
which I was, when directed by him, to pay into the Patent Office,

as his applications were matured. Having occasion for money he in October last, drew upon me for \$90. leaving in my hands a balance of \$10. with respect to which not a word has ever passed between us. I am well aware, however, that Mr. Grimes considers himself in my debt, for what he has accounted valuable information, as I have procured his looking out several patents for inventions in which he had been preceded.

On his recent arrival in this City Mr. Grimes has sought the same kind of information on other inventions, and for this purpose has exhibited to me some of his models and descriptions. In looking over the latter I sometimes drew my pen through certain words, and intimated others, but for so doing I have neither charged or received any thing. I have not, in fact, a knowledge of the forms in which Mr. Grimes has finally presented his papers to the Office.

With respect to the drawings which Mr. Grimes had had executed, and the obtaining of which was the main object of his visit, several of them have been done by Mr. Steiger. Mr. Grimes desired me to recommend some person to make them from his models, which he then had with him. I named Mr. Stone, but he had already seen that gentleman, and thought his charges high. I then informed him that I thought I could get them done by a person in the neighborhood, and that if he wished it, I would do so; the models were consequently sent in to Mr. Steiger, I had not, nor have I any interest in the transaction, excepting that which I have taken in rendering a gratuitous service to Mr. Grimes, of whom I think highly. — I did not refer him to Mr. Steiger, because I was apprehensive that that gentleman might think it improper to make a bargain with an applicant for a patent, although I was aware that he indirectly executed drawings for them, when models have been forwarded to the office, and the Superintendent has been requested to obtain them.

Mr. Gammann, whose affidavit accompanies Mr. Elliot's letter, applied to me to obtain a drawing of a fire engine of which he wished to make trial, stating that he wanted it for the purpose of aiding him to raise a subscription to enable him to construct the instrument. Not a word passed upon the subject of obtaining a patent. I informed him that Mr. Stiger would probably execute it for him. This is all the information which I possess respecting that affair.

Dr. Mayo has undoubtedly given the strongest evidence in his possession to my disadvantage, namely, that he has seen my name as a witness to specifications; if this is a crime, it is one which I cannot refuse to commit whenever called upon for that purpose; as to the inferences of that individual, I do not anticipate anything required to defend myself against them; the facility with which he makes mistakes is evinced by the memorandum of Mr. Dickens, relating to other points which Dr. Mayo states he stands ready to prove under oath.

My situation as Professor of Mechanics in the Transactions Institute; as the Editor of a Journal, devoted to the useful arts, and as formerly Superintendent of the Patent Office, are circumstances which have placed me before the public in a prominent point of view; and, in addition to these, whether deservedly or not, a high degree of confidence is placed in my information and judgment in whatever relates to discoveries and improvements in the useful arts. I am, therefore, placed in a situation from which I could not escape if I would; my opinion is frequently desired, and I have considered, and do consider, the information which I have acquired as, to a considerable extent, public property; and whilst it has been, and will be, my determination so to employ it as not to violate the rules of Office, or to interfere with the duties which devolve upon me, as a public Officer, it is manifest that I cannot pursue such a course as will enable me to steer clear of misrepresentation on the part of those who are prone to do so.

Papers to be deposited in the Patent Office, and money to be

paid into the Treasury, are frequently sent to me, and I have never refused to perform a task which obliges my fellow citizens, gives but little trouble, and costs nothing. At some time since gave a public notice in my Journal that where this was done, I required no more than to be saved the expense of postage.

I have the honor to be with great respect,

Your most obed^t Serv^t

Thos. P. Jones

Dec^r 8th 1834. T. P. Jones begs leave to file with the foregoing, a letter received from Mr. Grimes in May last, which will fully confirm the statement made respecting the nature of his transactions with that Gentleman. — All which is most respectfully submitted. T. P. J.

York, P^e May 22^d 1834.

Dear Sir,

You will find with this enclosed the drawings and specifications of a machine for attenuating iron or other metal, and also the specification of the revolving forging engine, the papers of which I sent to you some weeks since, this specification is to be substituted for the former one if the machine is patented but I should like to have your opinion of these machines and also of the one for cutting round rods and window sash from boards or plank which I mentioned in a letter some two or three weeks since.

I have prepared the papers which I send you to day with the intention of having the machines patented if there is not any thing in the way and you think them worthy of being patented.

I should be pleased to have some information respecting the note on the private Bank which I sent to you some time since for I heard that that Bank had stopped payment what loss is there on the note in consequence if it is necessary I will immediately forward more money to procure these patents.

Yours with respect

Dr. Thomas P. Jones

William C. Grimes

Ed

W.C.G.

To the Hon. John Forney
Secretary of State of the United States.

Washington December 18th, 1831.

Sir,

I this morning called at the Patent Office, to make certain enquiries and examinations, respecting Models and papers of inventions for a friend at a distance. But was informed by Mr. Stigson, a Clerk in that Office, that they would hold no communication with me, nor should I make any such examination there.

What have I done to deserve this treatment? Is it for having exposed the ignorance and evil-practices of those who conduct the affairs of the Patent Office? I cannot believe that you have given any order to sanction such conduct; and believe that the present insolent behaviour of the Superintendent arises altogether from his arbitrary disposition; and the ignorance of the duties of his office. It cannot be possible that you will deny to me that right which every other citizen enjoys, viz. to examine the papers and models of an Office, whose very title, (Patent) shows that they are to be open to public inspection. I would not deserve the title of a free citizen of the United States, if I should submit to this treatment without resentment; and therefore am determined to have redress. As I have the highest respect for your independent, honorable spirit, and high sense of justice I hope therefore you will apply a proper remedy to such grossly improper conduct.

I have the honor to be respectfully

Your obed^t Serv^t

William P. Elliot

Exd
24/11

Patent Office, Aug. 7, 1835.

Sir,

I have this morning discharged Mr. Smith, (who has been temporarily employed as clerk), in consequence of the suggestion of the Secretary of State last evening, that there was no appropriation for additional assistance in this Patent Office.

Not finding in the office any record of Mr. Smith's appointment, or authority for his employment, I have to enquire how the balance due him shall be paid?

Permit me to say, I understood Mr. Pickell first, employed him, while superintendent, and subsequently his services were continued by the acting superintendent Mr. Johns.

When I entered upon my duties, I understood from Mr. Johns "that Mr. Smith was employed to bring up the business generally, and that his compensation was the same as paid Mr. Mayo; viz. 12 1/2 cents for every 100 words, chargeable to the contingent fund." Before I make further payments I should be happy to be instructed from what fund Mr. Smith shall be paid.

Yours most respectfully and obediently, Cox
 Hon. John Forsyth. Henry L. Ellsworth's Biff
 Secy. of State.

Patent Office, Aug. 10, 1835.

Sir,

In the applications of Abner C. Wilt, and Thomas W. Reilly, for a "speak enlargisher", there is an interference, and both parties have been notified of the fact, and requested to appoint an arbitrator respectively.

Will the Hon. Secretary select one arbitrator in conformity with the law on this subject -

Mr. Roblin who has acted in several cases has an

quised of me, whether arbitrators receive any compensation, and if so, how much? — If arbitrators are to be paid by this Office I should be happy to know the amount and to what fund the same shall be charged?

Most respectfully

Henry L. Ellsworth

Ex^o. Hon. John Forsyth
Secy. of State

Patent Office Aug. 10. 1835.

Sir,

It is just one month since I entered upon the duties of Superintendent of the Patent Office. During this time, I have assiduously endeavored to bring up the business in arrears, and also to learn the tasks which devolved upon me.

Finding it impossible with the present help, to comply with all the orders on file, I feel constrained to present the state of this office, as some apology for what might seem remissness.

The peculiar manner of conducting the business in the office, presented unexpected embarrassment. The whole correspondence of the office, (letters rec^d.) was formerly buried by the Superintendent — Within a few years it has been kept on two long wires.

I found upwards of 60 models in the Superintendent's room occupying about $\frac{1}{3}$ of the floor — No index or alphabetical list of unpatented models had ever been made, nor had the unpatented papers, including caveats been indexed since 1829, if we except a part of the time since 1834.

Allow me to notice the course I have pursued.

In the first place, I removed all the models from the Superintendent's room, to a private apartment for "unpatented models" first taking an alphabetical list of the same. This attention has made the Superintendent's room far more

pleasant and enabled me to commence an index for all models received. By the aid of this alphabetical list, several models have been found, that were supposed lost; thereby, causing a delay in issuing the patent.

The correspondence, which I found on the wires, I have ordered bound, and shall prepare an index for the letters as soon as possible -

Answers to enquiries compose $\frac{1}{3}$ of the correspondence, and I would here remark, that the delay in handling safe information from letters kept on wires, and papers without any index, is not only vexatious but injurious to all concerned; besides, on every examination of letters, thus kept, a new hole was pierced, obliterating of course more or less words.

I have also procured three separate books, for the three separate funds, which in consequence of being all kept in one small book, were likely to become and in some cases did become blended.

I found also, that no list of applicants, for patents, was ever kept - The only entry made, was on the original petition itself, of the time it was received.

It will therefore easily be seen that as the original papers are often sent back for correction, and handed to draughtsmen for drawing (by order of the patentee) that this original file was very liable to be mislaid, and all evidence of an application having been made, gone, except the faint traces, of some correspondence respecting a patent. To remedy this evil in part, I have caused envelopes to be printed which when filed are never taken out of the office. The envelope also will save much writing, preserve uniformity in files, and guard against all radical defects in issuing a patent.

I have also ordered a book, for the entry of all papers received into the office, either for patents, or as caveats. Whom this book

is completed, I shall be able to comply for the first time, with that order, which requires a weekly list of applicants for patents.

Not only patentees, but assignees of patents, and litigants in court, have been pressing the Office with great importunity, for their respective papers. In some cases, the delay has been very injurious to the parties - and it is deeply to be regretted, that causes in Court, are obliged to be continued, at great expense for the want of a paper, which, with help, might be copied in an hour, and for which, time as much is charged (cost.) as it costs to furnish the same.

I am happy to say that so far as strangers are concerned, the business of the Office, devolving on myself, is nearly brought up. (50 patents are now waiting the signature of the President) - The official reports however, required by the Secretary of State, and the indexes to a considerable business, is quite behind. On this part of the subject, I beg to observe, that a weekly report of the patents, applied for, and also issued, together with a list of fees received for copies and transfers, could easily be made, but a Digest of the letters rec'd, & written, will occupy one clerk, at least two or three hours every day - The correspondence often embraces 40 or 50 letters in a day - some of the letters rec'd are very long, and it will take much time to peruse them. As true letters, will now all be regularly filed, bound, and indexed, and become the records of the Department, I have very respectfully to enquire, whether this last mentioned order respecting the weekly Digest of letters could not be relaxed, or suspended, until Congress should allow more assistance.

The order, which requires all letters rec'd, to be answered the same day, however onerous the duty, may be shown remain imperative - it has been strictly complied with by myself, and will be while my health is spared -

There are several alterations made in the details

of office arrangement, and especially in comparing the specifications, drawing & model together; a similar but not, I understand, but absolutely necessary to protect the public interest. These changes however, do not contravene any order of the Secretary, and have incurred but a trifling expense, & I will not name particulars — At a future time, I will beg leave to suggest a few things, which ^{may} expedite the issuing of patents, and equalise the duties and expenses of the office.

My object now is, more particularly, to call the attention of the Hon. Secy to the manner in which the patents are recorded.

I presume, the Secretary supposed, that the Patents were recorded — This I believe has never been done. Allow me to explain — The specifications only, is recorded. What is technically & in fact the patent — the document, attested by the President, and signed by the Secretary of State, and Attorney Genl. is, with all its forms and dates, left wholly unrecorded. When copies are required of any patent, reference is had to the specification on record — The deficiency is made up by taking one of the common forms, or "heading" of patents borrowing from the index of Patents issued, the name of the patentee, the date of the transaction, & the object of the patent, and gathering from the chronological events of the day, the name of the President, Secretary & Attorney Genl.

I need not add, that a record made up in this manner, cannot be certified with entire confidence — For, should there happen to be an acting Secretary of State, or Atty. Genl. the record would, in a court of justice, be a fatal variance with the original. Besides, if the form of the patent should be changed, (and it may) there, it would be extremely difficult, to furnish a true copy. I will not enlarge. I had supposed, that Congress intended the whole patent should be recorded, and

for this mode of appropriation.

The expense of making a full record, is no greater, or is trifling more, provided the form of the patent is printed, with blank dates, and the records made up on sheets as is now done & then bound.

While I feel unwilling to make so great an alteration in the mode of recording, without the knowledge or approbation of the Secy, I feel bound, to submit the matter without delay, to his notice and consideration.

Yrs.

With the highest respect I am Yours respectfully,

Wm. B. Hoar, John Forsyth
Secy of State.

Henry L. Ellsworth

1469 wds.

Patent Office Aug 21. 1835.

Sir,

The continued ill health of Mr. Johns compels me to observe that the business of the office is accumulating very fast, as well as increasing in amount compared with former years - Since July 17 I have issued 127 patents -

There now remain on hand 37 specifications & assignments to be copied for strangers - and some of the cases very urgent - also 8 drawings - There is now about 30 patents to be copied on parchment -

Within 2 days there has been 10 new applications for patents - I have devoted 8 and 9 hours a day to keep up the current daily business and as there is now a fund of \$2000. untouched for contingent expenses and which will not be needed but in part for ordinary expenses I have to enquire whether under these circumstances I cannot employ some temporary help.

I only add that since the 1st July I have written over 500 letters to correspondents - and the bound correspondence shows more than double the amount this year compared

with the last. The enclosures to the Gov^t since 14th. July 1834 -
and the expenses about 5 or 600 only -

I feel desirous and ambitious to help up the business and
can do it with a little more efficient help.

Yours respectfully

Hon. John Forsyth
Secy of State.

Henry L Ellsworth Esq
HLE

Patent Office, Aug 21. 1835.

Sir,

I have the honor to acknowledge the receipt of the ac-
companying papers returned here for the correction of the certifi-
cate - Permit to remark that I have forwarded them precisely
as they were received, and they were returned with the enclosed let-
ter - The books were then carefully examined, and a certificate
amended or rather enlarged to meet the precise case -

I am a little at a loss to know how to furnish the
evidence required to be used in a court of justice unless by
the seal of the Secretary of State - I have not a copy of the
U States laws and therefore have respectfully to ask how the
information requested shall be furnished by this office.

Yours obediently

Hon. John Forsyth
Secy of State

Henry L Ellsworth

P. S. I also transmit the certificate requested, now sent Exd
separately. HLE HLE

Patent Office Sept 18 -

Sir,

I have the honor to transmit the amount of fees
rec^d for fees for four weeks ending 5 Sept 1835

Hon. John Forsyth
Secy of State

Yours, very respectfully Henry L Ellsworth Esq
Superintendent. HLE

Weekly account of Fees received at the Patent Office, for the week ending the 15th day of Aug^r 1835.

1835 Received of sundry individuals for recording deeds of Transfers, &c. 1.28

Received from ditto, for copies of Patents, &c. 28.58

\$ 29.86

Henry L Ellsworth
Superintendent

Weekly account of Fees received at the Patent Office, for the week ending the 22^d day of August 1835.

1835 Received of sundry individuals, for recording deeds of Transfers, &c. 2.77

Received from ditto for copies of Patents &c. 2.70

\$ 7.47

Henry L Ellsworth
Superintendent

Weekly account of Fees received at the Patent Office, for the week ending the 29th day of August, 1835.

1835 Received of sundry individuals, for recording deeds of Transfers, &c. 1.10

Received from ditto for copies of Patents &c. 5.01

\$ 6.11

Henry L Ellsworth
Superintendent

Weekly account of Fees received at the Patent Office, for the week ending the 5th day Sept^r 1835.

1835 Received of sundry individuals, for recording deeds of Transfers, &c. 15.73

Received from ditto for copies of Patents &c. 15.53

\$ 31.26

Henry L Ellsworth
Superintendent

Exd
H. L. E.

Patent Office September 29 - 1835.

Sir, I take the liberty of submitting a few remarks to the

House. Difficulty relative to the wants and inconveniences of the Patent Office.

There is an immediate want of more room to hold the models for the Patents already issued and the number is daily increasing - Several hundred are now piled away in the garret of the Post Office.

The great weight of the present models is found to endanger the building. In addition to this all the room now occupied by the Patent Office is needed by the P.M. General. Under these circumstances it is presumed that Congress will readily provide for the wants of the department becoming more & more interesting and important to the Government as well as to the public.

It deserves to be mentioned that the Patent Office is now credited beyond the expenditures since its organization a sum exceeding \$130,000. The receipts for the last quarter will exceed \$7000 for patents issued while the whole expenses authorized by law will in the same time fall short of \$2500.

A suitable building could be erected sufficiently large to exhibit all the models arranged in such a systematic order as to show the progress and improvement in the arts, without encroaching upon any room separate from the Patent Office.

To any observer it must be apparent that the old law of '93 needs revision. The table of fees is in some cases too exorbitant, in others too little. Every drawing for instance required at the office is charged by law at \$2, without reference to its size or complexity. Some drawings are worth from \$30 to \$40 others are worth less than \$2. The fee for copies & for recording is 20 cents for every hundred words, while the expense of getting the work done does not exceed 10 cents.

this is a high tax upon money unable to bear the exaction.

It may be deserving of consideration in this enlightened age of commercial reciprocity, whether a more liberal extension to foreign inventors would not be advisable. Our own citizens are daily availing themselves of the courtesy of other nations to secure the benefits of their inventions, while the favor is not reciprocated unless in a very limited degree. What effect our monopolizing may have on other nations is only to be conjectured.

It is also believed that the requirement of so many signatures to the patent is unnecessary to protect the public rights or to guard against errors. If the Superintendent could be authorized to act judicially and such additional effective aid allowed as is necessary, there would be no need to delay in issuing a patent (when the papers are prepared) beyond a very few days. At present, the President, Secretary of State and Attorney General all have to sign the patent & in the transcription of the documents through so many hands delays of course occur to the great inconvenience and injury of the Patentee.

In the case of interfering patents it may be worthy of consideration, whether the decision of the Superintendent with an appeal to the Secretary would not be better than the present arbitrators, where the court is composed in part of two referees selected for their friendship to the respective parties - for these arbitrators also there is no provision by way of compensation, although each case of importance must necessarily consume time and attention.

But it is not the design of this communication to show the defects of the present law, so much as to state the absolute necessity of some provision for the accommodation of models and additional assistance.

(with adequate compensation) to discharge the onerous duties of this branch of the Department.

Hon. John Forsyth
Secy of State

I am very respectfully yours
Henry L Ellsworth

Exd.
H. L. E.
652
1. 1835

Patent Office December 9 1835

Sir,

Yours of 8th instant was rec^d this A. M. requesting a plan of arrangement for a change of duties among the Clerks.

I have the honor to observe that by the order of Sept 17 1834 Mr Johns was required to record patents issued, and in a separate book, transfer of patent rights"

Mr Johns never recorded any patents - This duty was, and is wholly performed by Dr Mayo; of course little remains for Mr Johns under that order.

I would recommend, that all the duties now assigned to Mr. Mills be assigned to Mr Johns except the duties of Draftsman; requiring Mr. Mills to render such other service as business permitted

Hon. John Forsyth
Secy of State

Yours most respectfully
Henry L Ellsworth Exd.
H. L. E.

Patent Office Dec 11 1835

Sir,

I have the honor to acknowledge the receipt of yours of 10th instant requiring an explanation of certain duties omitted to be performed by Mr Johns.

The Hon. Secretary will recollect the appropriation by Congress of a certain sum for recording patents. Under

this appropriation, Dr. Mayo has been employed, by my predecessors, and myself, and his compensation has been charged to this fund and not the contingent fund.

Mr. Johns has not recorded any patents since March 1835 but generally been engaged in copying books and journals - making copies ordered - copying transfers, copying letters, and occasionally other duties.

Hoping this explanation will be satisfactory

I remain yours obediently & respectfully

Wm. John Forsyth
Secy of State

Henry L. Ellsworth

Patent Office, Dec. 16, 1835.

Sir,

Yours of the 15th inst was received this A. M. The Secy is pleased to observe that "the explanation about the employment of extra aid out of the special fund is not satisfactory". Permit me to suggest a belief that on this point the Secretary has not embraced the views I endeavored to present in my communications. No change has been made to the "special fund" (if by this is meant the appropriations by Congress for bringing up the records) except the services performed by Dr. Mayo. I have looked for his appointment to record patents, but cannot find it. I presume the appointment of Dr. Mayo, whose compensation is 12 1/2 cents for each 100 words has met the sanction of the Secretary. If however I am mistaken here I beg to be corrected.

If there is any written appointment of Dr. Mayo I should be happy to receive a copy of it. I shall then know definitely what the duties of the Clerks are. Dr. Mayo has however performed no duties but those under the special act of Congress.

I am sorry to trouble you with so much writing.

but as your letter might imply blame somewhere
and has become a matter of record, I thought it due
to myself to write these lines in reply.

I am yours respectfully & obediently
 Hon. John Forsyth Henry L. Ellsworth
 Secy of State

Copy
MJC

Patent Office, Feb. 6, 1835

To the Honorable John Forsyth
 Secretary of State
 Sir,

In extenuation of my conduct with regard to a reg-
 ulation of the Department ^{of State} concerning the employment of Clerks
 and which it is alleged I have disobeyed by preparing papers
 for applicants for Patents, I most respectfully beg leave to sub-
 mit the following facts.

That I have never till now understood dis-
 tinctly that the Regulations applied to one in the business
 of making drawings for applicants for patents, not hav-
 ing ^{been} expressly forbidden I acted under the impression when
 the late Superintendent was notified on the subject, that
 I was at liberty to determine for myself whether the reg-
 ulation reached my case or not he (the Superintendent)
 was of opinion that it did not, and unfortunately, I
 fell into the same error, chiefly owing to the circumstance
 of the employment being in itself innocent, the reason
 of the rule therefore not being applicable to it. It is
 known that I had no one to disabuse me of my error I
 therefore continued to make such drawings, without at-
 tempting to procure as it was my place to have done by
 proper explanations a modification of the rule, and in
 case that could not be granted with perfect propriety,

to decide:

I hope Sir this explanation will be received
and I beg leave to assure you, that no individual em-
ployed in the Department entertains a higher respect of
your orders, or will obey them more punctually than

Yours most obliged obedient servant
Wm. Y. Steiger

Patent Office, Feb. 6, 1835.

Hon. John Forsyth.

Sir,

I am satisfied, that the draughts-
man in this Office, should have the 1000th situation,
as you suggested, a few days since: provided however
that he performs the duty of a Clerk, as the present draughts-
man has done.

If agreeable to you, I should regard it as a
favor if Mr. Steiger could remain a week or two long-
er, or until the end of the session. The press of business
is great; the applications for patents numerous and the
interruptions very frequent. This will cease, in some de-
gree, after the adjournment of Congress; and I should
then be better qualified to give another draughtsman,
the instructions, that he might find necessary. - It will
be but just to say; that Mr. Steiger, in the discharge of his
duties, is prompt, punctual and efficient.

It is very desirable that an additional clerk
should be assigned to this office; for, including the Clerk,
whose place is now vacant, the force is altogether un-
equal to the labor that has to be performed.

With great respect Yours obt^d servant,
J. C. Dickie

Patent Office, April 4, 1835.

Sir,

Among the funds deposited in the Bank of the Metropolis, by the late Superintendent of this Office, and with your control, is the sum of 624 dollars, remitted by various persons as fees for patents, which have never been issued. This sum was not transferred to the Treasury in October last, as you directed; because the residences of some of those persons and the names of others could not be ascertained. Among the latter, is Jacob F. Widler of Philadelphia, who has recently applied to have a fee of thirty dollars returned. It seems to be very clear, that the money was paid and that he did not obtain a patent; but I do not consider myself authorized to refund the fee, without being directed by you to do so; and I respectfully asks to be instructed, as to the course I shall pursue, in relation to this case, and in cases similar to it, should any occur.

I have the honor to be with great respect,

Yours obed^t servant,

Hon. John Forsyth
Secretary of State

J. C. Dickelt

Recd
M.C.

Patent Office, April 21, 1835.

Sir,

In the garret of this office, there are about four hundred unpatented models; many of which have been much injured by mischievous persons, who have had access to them. Mr. Keller will repair them, should you order them to be repaired, provided he is furnished with the necessary tools; which would cost between three and four hundred dollars: But not one in fifty, perhaps, of these models, will ever be patented, and would not therefore, be

of much use, if repaired; nor would they be very ornamental in a model room, as they are in general, very rudely and unmechanically constructed. I think it advisable however, to purchase the tools; as some of the patented models are rather out of order, and cannot be repaired, as it should be done, for the want of them.

It does not appear that the condition of these models is chargeable to any neglect. They seem to have been abandoned by their owners, as being of no value; and had they been of any, there is no secure room belonging to this Office, in which they could have been properly placed.

I have the honor to be very respectfully,
Your obedient servant,

Ed. Ross John Forsyth
W.C. Secretary of State

J. C. Pickett

Patent Office, May 9, 1835.

Sir,

In consequence of the changes which have been made in this Office during the present month, by which the duty of Superintendent has devolved on myself, I find the regular business of the Office already accumulating to such a degree that I fear the public interest will suffer unless speedily remedied.

There are now about thirty patents ready to be issued, and only one Clerk to attend to this duty, as well as those of making copies, recording transfers, and copying letters &c. neither of which admits of delay.

I have conceived it my duty to make this statement, and to apply for such additional aid as the necessity of the case seems to demand all which is most

respectfully submitted.

I have the honor to be

Your most obedient servant

To the Hon. Abraham Dickinson
Acty Secy of State

Thomas Johns Acty Secy

Exd.
J.C.

Washington

Sir,

I have the honor to enclose the certificate of Judge
Cronch that the oath of office has been duly administered.

Most respectfully yours

May 11. 1835

Henry L Ellsworth

Hon. John Forsyth
Secy of State

Exd.
J.C.

Washington May 11 1835

Sir,

I have the honor to accept the office of Super-
intendent of the Patent Office and will immediately
transmit the certificate of the administration of the oath
by law required.

Having made a previous arrangement to
visit my son (now in Arkansas Territory) in Indiana
about the 1 of June, and being desirous to arrange my
domestic matters I have respectfully to request leave of
absence for sixty days. I shall lose no time by delay and
will reach Washington as much sooner as is practica-
ble.

I remain most respectfully, Yours.

Hon. John Forsyth
Secy of State

Henry L Ellsworth

Exd.
J.C.

Portland May 18. 1835

Sir,

I have the honor to acknowledge the receipt of yours of the 12, embracing the appointment of Superintendent of the Patent Office & granting the leave of absence, which I appreciate.

Yours most respectfully

Henry L Ellsworth

Hon. J. Forsyth

Secy. of State

Patent Office, May 29, 1835.

Sir,

On account of the absence of the new Superintendent, the late Superintendent has not transferred any portion of the funds belonging to this office, it is left without the means of paying the bills of Mr Smith and Mr Mayo, heretofore chargeable, respectively, to the contingent expense account, and the account of the appropriation for recording Patents.

It is therefore respectfully asked, that authority be granted, for the transfer of so much of the said funds, in ^{hands of the} the late Superintendent, as will discharge the claims alluded to, or as may be deemed most expedient.

All which is most respectfully submitted

I have the honor to remain Sir your obedient Servant

Ed. To the Hon. William Dickinson

Thomas Johns, Secy. of State

W. C. Secy. of State

Patent Office, Feb. 5, 1835.

Hon. John Forsyth:

Sir,

Barnes & Hills paid 30\$ into the Treasury, with the intention of obtaining a patent for a branding iron. Subsequently, Hawkins became interested

in the inventions, and all the papers are made out in the name of Barnes, Hills and Hawkins. Can the patent be issued to Barnes Hills and Hawkins, the receipt for the \$30 being in the names of Barnes and Hills only?

This seems to be a new case in this office and is submitted for instructions.

I have the honor to be with great respect,

Your obedient servant,

J. C. Pickett

Referred to the Attorney General for his opinion upon the question. Dep. of State Feb. 1835.

The act of Congress of July 21st. 1793, (§ 11) requires the payment of \$30, before the inventor's petition is presented, as a compensation for the services consequent on such petition. The money having been ^{actually} paid, in the case within mentioned, with a view to this particular invention, and but one petition, as I suppose, having been presented, and one set of papers made out, I cannot doubt the propriety of issuing the patent. Indeed, this \$30. may well be considered as having been paid by the petitioners, for the same assignment or other act which gave Hawkins an interest in the invention, gave him also, as between him and the Patent Office, an interest in the money paid on account of the fees of office.

W. F. Butler Atty Gen. Exd

July 12th. 1835. W96.

Patent Office, May 20 1835.

Sir,

I have the honor to transmit the amount of fees due for recording transfers and for copies from the 1 day of May 1835 to 8 August 1835 (weekly) amounting in

all to 232 $\frac{5}{16}$ dollars - of this Mr Thomas Johnston, acting
 Superintendent received from 1 May to 11 July 1855-56, which
 perhaps he should have certified but he is now unwell
 the remainder I see? between July 11 and 8 August 76-73
 making the sum 232 $\frac{5}{16}$ dollars.

Yours respectfully

Henry L Ellsworth

69 Hon. John Forsyth
 176 Secy of State

Patent Office, Sept. 10. 1855

Sir,

I have the honor to transmit a weekly list of the
 applications for patents since I entered upon the duties of
 Superintendent. In some cases the entries may appear
 deficient - It is the custom now to enter the application,
 upon the receipt of any of the requisites - the fee may be
 transmitted with a request for the patent; of course one
 files the applications & wait for papers - it sometimes hap-
 pens that the object is not described fully by the first letter.
 Under the present orders of the Secretary, I have hesitat-
 ed to know my duty or his wishes. I cannot possibly
 discharge the daily current business and keep up the
 weekly reports without additional assistance, but will
 most cheerfully suspend any other business to make
 the weekly reports if this is required.

I am very respectfully, Yours obediently

Hon. J. Forsyth
 Secy. of State

Henry L Ellsworth

P. S. About 200 applications have been made dur-
 ing the two months I have been in office.

H. L. E.

b. d.
 W

Patent Office

Sept. 14, 1835.

Sir,

I have the honor to transmit a
list of Patents issued from April 22^d 1835 to
August 27, 1835.

I am very Respectfully,

Yours obediently

Henry L. Ellsworth

Hon.

John Forsythe

Secy of State

(over)

Patent Office Sept. 28th 1835.

Sir,

I have the honor to inform the Department that the business of the Office is now brought up, if a report of the correspondence and business is accepted.

All the new forms and new books introduced are ready for exhibition and examination - These improvements have introduced more system, and saved much future labor.

The accounts of the contingent fund are herewith presented with the vouchers, embracing the time when Mr. Thomas Johns was acting Superintendent.

Herewith are transmitted the weekly lists of applications from the 5th Sept. to 26th of Sept. inst. Also the account of the fund for recording patents with the vouchers.

I am very respectfully yours

Hon. J. Forsyth
Secretary of State

H. P. Ellsworth Esq.
Att. Gen.

Patent Office
September 29. - 1835.

Sir,

I have the honor and pleasure to observe that the business of the Office is now brought up, if the digest of the correspondence and several indexes are accepted - The new arrangement which has been lately adapted, will it is believed correct some errors and remedy much inconvenience.

The income of the Office is very great and increasing, but still no additional help could be obtained. The sickness of the regular Clerks has thrown unusual labor upon those able to work. I have cheerfully devoted all my time to the business of the Office, & have not lost a single hour - My son has aided me for a week past, and will if agree.

able to the department remains a few weeks longer.)

I have now to solicit the indulgence of a few weeks absence to go to Indiana for Mrs. Ellsworth who is out there on a visit.

My son now here is a graduate of Yale College & a quick and accurate writer - He possesses a good moral character and is about entering upon his profession at the Bar - he will aid in the duties of the Office while I am gone & from active business habits will contribute much to keep up the business until my return. I would add he is not an applicant for office.

I cannot say exactly how long it will take to go to Indiana for Mrs. Ellsworth - about 9 or 10 days in going and as much in returning will be a reasonable allowance - a few days there will probably consume 3 or 4 weeks. I shall hear from the office every day and should business require my presence I will hasten back sooner than I have stated.

Whether my son shall receive my compensation or not is left entirely to the discretion and judgment of the Department - his services will be needed and be useful, & I cheerfully leave the matter for the future decision of the Hon. Secretary.

I am yours very respectfully and sincerely,
Henry L. Ellsworth

Ex^t Hon. J. Forsyth
Off. Secretary of State

Patent Office October 22, 1835.

Sir,

In the application of J. C. F. Salomon & Samuel Permon-Wharps, for an improvement in Steam Engine Boilers, there is an interference, and both parties have been notified of the fact, and requested to appoint an arbitrator respectively. Will the Honorable Secretary select one arbitrator in conformity with the law on this subject.

I have the honor to be Obedt.

Hon. John Forsyth
Secy. of State.

Thomas Johns Esq. Sup. Bd.
Jf

Washington Nov. 14, 1835.

Sir,

I have the honor to transmit herewith, my accounts, as late Superintendent of the Patent Office. The funds belonging to the office, were transferred to my successor as you will perceive from the receipts, a few days after he arrived at this place, with the intention of entering on his official duties; and my accounts were prepared and sent to the 5th Auditor's Office with but little delay. By some accident or other, they did not reach that office; though I was not apprised of the failure, until about two months after it occurred. To enable me to make them out again, it was necessary to procure some new vouchers, which I could not do immediately, as some individuals to whose payments had been made, were absent, and duplicate receipts could not be obtained. I have been absent also myself, and have but recently returned.

This statement I trust will account satisfactorily, for the apparent delay in rendering my accounts; as it will be perceived, that there was no unnecessary delay, in transferring the funds of the Patent Office, to the present Superintendent.

I have the honor to be with great respect,

Your obedient servant,

Hon. John Forsyth
Secretary of State.

J. C. Pickett

Exd
W. J. C.

Patent Office Dec. 5, 1835.

Sir,

I beg leave to submit the application of Mr White for a surrender of old patent and issuing a new one. The facts are simply these,

27
as will appear by the correspondence enclosed - On 15th June Mr White
applied for a patent - on 17th June Mr Johns then acting Superintendent
of the "office of inventing" when specimens were received a patent would be
put in progress - no answer was returned - On examining the
papers after my entering upon the duties, it was found that the case
did not require a specimen & the papers being all regular I ordered
on 18 July the patent to be issued - a patent was duly made out &
transmitted to Mr White and now lies in post-office there I suppose.
Mr White has made some further improvements I understand
desires to enlarge and otherwise modify his Specification to meet his pre-
sent wishes - The office doubtless did right in issuing the patent al-
ready ordered and never countermanded - but whether the delay requir-
ing the specimens so far justified Mr White in believing the patent
would be suspended until further proceedings on his part & thus equi-
tably or legally entitles him to a remittance of the usual fee in consequence of
removal of patents for defects, I beg to be informed.

With the highest respect I am yours obediently

Enc
11/6

Thos. John Tugth
Secy of State

Henry L Ellsworth

New York, June 15 1855

Thomas Johns Esq.

Dear Sir,

I forward you herewith the pa-
pers and certificate of deposit necessary for a patent for an im-
provement on Dayton, Hoyt and White's artificial stone
or marble coffins, which please forward to me, this City, as
early as your convenience will permit. With thanks for your
prompt attention to the other patent &c.

I am in haste

Yours friend &c

John White

Enc
11/6

Patent Office, June 17, 1835.

Sir,

Yours of the 15th inst. is received with your papers & a
Drunk recipe for \$30 - on your improvement in artificers
Stone, and you will be good enough to forward a specimen,
when your patent will be put in fragments.

Yours respectfully

Thomas Johnes Esq. Secy.

Col. John White }
New York }

Exd.
W. C.

Washington, Dec. 4, 1835.

H. L. Ellsworth Esq.

Dear Sir,

On the 17th of June last
I rec^d. a letter from the Patent Office informing me that
my Patent for Coffins made of cement could not issue as
the specimens were defective. Having discovered that my spe-
cification was imperfect I was therefore glad of the occurrence, of
this difficulty, and determined to leave the business in that state
untill I could visit Washington and see that everything was
correct. Since arriving here I have learnt that notwithstanding
the assurance that it could not issue, and without any further
intimation to me, it was actually issued on the 18th of July last -
as by the act of the office I have been prevented from correcting
my specification, I must ask of you the favor to submit the ques-
tion to the Secretary of State whether I ought to be compelled to
pay another fee for the purpose of making my patent correct.

With great respect Yours obt. Serv^t

John White

Exd.
W. C.

Patent Office Dec. 5, 1835

Sir,

The increase of business in the Office renders

it impossible for the Clerks to perform the duties imposed upon them by the order dated 16th September 1834. By that order the following duties were assigned to Mr. Steiger and since I have by direction of the Hon. Secretary, devolved upon Mr. Mills viz. "Mr. Steiger will copy and receive the letters prepared in the Office, and file those received, will keep the Book of entries, will file the communications presented in the nature of brevets, and register the same in a book kept for that purpose, letters received and written showing in regard to the former, when received, date, by whom written, purport, and date purport of answer, will keep the accounts of the Office, and will also perform the duties of a draughtsmen."

I have respectfully to observe that I presume the draughtsmen was appointed for his skill in the art of drawing, and that to him alone the Superintendent must look for all the copies of drawings on file.

It being therefore utterly impossible for Mr. Mills to perform the duties specified in said order, I have to solicit the permission to make some changes in the present duties of the Clerks, and especially to assign to Mr. Mills the duties of draughtsmen with such other duties as can by him be performed from time to time, to expedite the business of the Office.

I am with the highest respect, Yours obediently

Henry L. Ellsworth

W^m C. Steiger
Secy of Pat.

(Unofficial)

Patent Office, June 29 1836

Sir,

I transmit my report on the enquiries submitted
in answer to the Letter of the Hon. Mr. Ruggles

I have endeavoured to omit an allusion to any
subject not deemed important — Should the statements
or remarks not appear correct or judicious I beg the kind sug-

gestion of the Hon. Secy of State before the school is transmitted to this Com-
mission.

Hon. John Forsyth
Secy of State

I am yours respectfully & obediently

Henry L Ellsworth

Ext.
1796

Patent Office January 18 1856

Sir,

Since my return from the State department this morning, I have examined the amount of copies ordered and assignments left for record.

The amount of fees to be received for the above, will be about \$175, at the rate of 20 cents per 100 words. I could readily have the same completed for 10 cents per 100 words if the Hon. Secy should think proper to direct the assistance -

The fees rec'd for copies and transfers are paid in to the Treasury and pass to the account of Clerk hire -

Some of the copies are much wanted, and could any relief be granted, I am confident those interested would feel very grateful.

I am with the highest respect yours obediently

Hon. J. Forsyth
Secy of State

Henry L Ellsworth

Ext.
1796

Patent Office January 8 1856

Sir,

I have the honor to acknowledge the receipt of yours of the 6 instant requiring a duplicate list of Patents which expire in 1835 which is herewith transmitted.

I am yours respectfully

Henry L Ellsworth

Hon. John Forsyth
Secy of State

Ext.
1796

Patent Office Jan 8 1836

Sir,

I have the honor to acknowledge the rec^d of yours of the 6th inst. requiring an alphabetical list of the names of patentees who have obtained patents in 1835, which alphabetical list is now transmitted together with list of patents returned from the State Depart.

I am yours very respectfully

Wm. Hon. John Forsyth
1836 Secy of State

Henry L. Ellsworth

Patent Office June 5

Sir,

I enclose the letter rec^d from the State Department having been referred to this office, written by the chairman of the Committee of Claims, and beg to remark that I fear I have committed an error, in transmitting the information to Mr Whittelsey instead of sending the report to the State Department. I enclose a copy of mine to Mr Whittelsey.

Yours most respectfully & obediently

Wm. Hon. John Forsyth
1836 Secy of State

Henry L. Ellsworth

Copy

Patent Office Dec 24, 1835

Sir,

Your letter of the 23^d inst. to the Hon. Secy of State, was referred to this office this m^o for information. I have the honor to state that it appears from the Books of the Office that in April 1830 Jacob F. Walter deposited 30 dollars for a patent. It was the custom at that time for the superintendent to receive the money - By the list of money received at the Treasury Office as transmitted here, it appears that Jacob

col. T. Waller's fee of 30 sold was paid into the Treasury of the 27th of
 Apr 1835. I presume this is the time some new right & to be re-
 covered back. There are many similar cases and I understand
 there will be efforts made to get some general law passed to pro-
 vide for all such applications.

(Signed) Resp. Y.

E. Whittier, Chair.
 man can't on claims.

Henry L. Ellsworth

E. W.
 N.Y.C.

Patent Office June 1 1835

Sir,

I have the honor to transmit a list of expired
 patents in 1835; also a list of patents granted in 1835 clas-
 sified in the respective act.

I am most respectfully

Hon. John Forsyth
 Sec^y of State

Henry L. Ellsworth

E. W.
 N.Y.C.

Patent Office April 4 1836

Sir,

I have the honor to inclose the weekly list of fees
 rec^d for recording deeds of transfers & for copies of Patents, since
 1st January amounting to \$136.43, which amount I have
 paid into the Treasury -

I am most respectfully yours

Hon. J. Forsyth
 Sec^y of State

Henry L. Ellsworth

E. W.
 N.Y.C.

Patent Office April 5 1836

Sir,

I have the honor to inform the Hon. Sec^y of State,
 that I propose to leave this evening for Indiana to hold the next

with the House's business; and in pursuance of your verbal request have directed Mr. Flint to take charge of the Office until otherwise directed by yourself. I instruct the Secy also to direct Mr. Ringold to remain and aid in the Office during my absence. The other extra help, (Sext. Mayo excepted) is discharged.

I am most respectfully, Yours obediently

Henry L. Ellsworth

To Hon. J. Forsyth
Secy of State

Patent Office April 5 1836

Sir,

I have the honor to observe that with the extra help bestowed by the Secy the patents are all issued when the papers are ready, and the transfers recorded, & office copies furnished. The contingent fund is now exhausted and those employed to copy will be discharged unless the Secy shall prefer to continue the authority to employ the like assistance in keeping up the current daily business -

Allow me to add that there was a resolution passed the Senate authorising the Secy to expend the fund originally appropriated for recording patents, for other purposes in the office - Whether this resolution has passed the House I have not been informed - if so, there are \$1179.⁷⁶ remaining under that appropriation to the credit of this office.

During the last three months 277 patents have been issued & 325 new applications been made.

The extra clerk hire has been performed with fidelity & dispatch - and at 10 cents per 100 words amounts to little short of \$400. The receipts of the Govt. during the 3 months have been very large from patent fees and office fees.

I am with the greatest ^{respect} yours obediently

Henry L. Ellsworth

To Hon. John Forsyth
Secy of State.

P.S. There remains much business such as indexing books & papers classifying patents, and corresponding records, which cannot be done without more personal help, unless daily business is neglected.

H. L. E.

By
H. L. E.

Patent Office April 6. 1836

Sir,

I have the honor to request an answer to Mr. Ellsworth's letter of the 5th instant authorizing me to act as Superintendent until his return.

I have the honor to be very truly

Hon. J. Forsyth
Secy of State.

Yours A. S. D.

Thomas Johns

By
T. J.

Patent Office April 29. 1836

Sir,

Being requested by Mr. Dickens to report to you, on the subject, I have the honor to state that the present arrangement of the duties in the Patent Office is the same as prescribed in the regulations of the Secretary, of the 16th September 1834, with the following modifications

Mr. Johns performs all the duties therein assigned to Mr. Steiger, except those of Draftsman, and also the registering of Caveats, and of letters received and written, which has been lately discontinued, as the press of business in the office has rendered those duties impracticable.

Mr. Ponce performs the duties therein assigned to Lee Mingo and records the transfers of patent rights, which latter duty is therein assigned to Mr. Johns. Mr. Ponce performs the duties of Draftsman and such other services as the business of the Office may from time to time require and his duties permit.

The recording of patents is done by Doc. Mayo, who is temporarily employed, and paid out of the special appropriation for recording patents.

It is proper also to state that the Superintendent finding it out of his power to perform all the duties assigned to him, generally employs Mr. Keller, the Machinist, to examine the specifications, drawings, and models and see that they conform to the laws. Mr. Keller also has special charge of the models.

I have the honor to be Sir your Obedt

Thomas Johns Asst. Supt.

P.S. I would also add the ages of the Clerks employed in the

Patent Office -	Thomas Johns	- 44 years
	Robert Mills	45 "
	A. J. Rouse	38 "
	C. M. Keller	25 "

T. J.

Ex. 11, 1836.

Patent Office May 2, 1836

Sir,

In the report I had the honor to make to you on the 29 Ult^o in relation to the arrangement of the duties of the Clerks in this Office, I omitted to state, that the enquiries relative to the originality of inventions or principles and infringements of Patents rights, are submitted to Mr. Keller the Machinist.

I have the honor to be very Respy

Yours Obedt

Wm. B. John Forsythe
Secy of State

Thomas Johns Asst. Supt.

Patent Office May 2, 1836

Sir,

I regret, most sincerely, that the omission of regis

being the Councils and of letters received and written, in this office, should have produced the dissatisfaction expressed in your letter of the 30th ult. I have hoped in that the communications of the Superintendent to you had shown the impossibility of keeping up these registers with the existing strength and increasing business of the Office. So far as I am concerned I beg leave to assure you, that I have not only industriously devoted all the time of usual office hours, to the performance of the duties assigned to me, but I am in the habit of giving two or three hours, extra time, daily to their performance, as Mr. Ellsworth, were he present, would testify.

Had these registers been kept, other current business of the Office must have been unavoidably neglected, and nothing has been left me but a choice of evils.

Upon the return of Mr. Ellsworth I confidently hope it will be in my power so far as my duties are concerned, to remove all cause of complaint.

I have the honor to be Sir very Resp^t Obed^t

Yours Obed^t

Thomas Johns Asy. Supt.

Hon. John Forsyth
Secy. of State

Patent Office June 1, 1836

Sir,

I find on my return that the business unfinished has accumulated to such a degree as to occasion much delay to persons making applications unless some temporary assistance can be afforded -

There are between 80 & 90 patents complete and issued from the Superintendent's desk awaiting clerical aid to transcribe. There are thirty office copies of Patents or Specifications ordered; and 20 assignments or transfers to

be recorded - In addition to this the weekly reports have been
 behind, and it is important that the records made by Sec. Mayo
 should be examined, & checked in the office -

I have required the Clerks to use extra hours, taking
 up the reports to the State Department. In perusing the corres-
 pondence of the acting Superintendent in my absence I regret
 to find, he mentioned the "Discontinuance" of certain reports &
 business required by the orders from the State Department - In
 the impossibility to do all, some has been delayed, but none
 discontinued. I shall esteem it a duty and pleasure to conform
 to every requisition, with the dispatch the limited force in the
 office permits, and to give preference to those duties deemed
 most important by the Hon. Sec. of State.

I am with the highest respect, yours obediently

Ed. Hon. John Forsyth
 Sec. of State.

Henry L. Ellsworth

Patent Office June 1 1836

Sir,

I have the honor to transmit the weekly reports
 of receipts for recording Deeds and transfers from 2d. April
 to 28. May 1836

Yours most respectfully

Ed. Hon. John Forsyth
 Sec. of State.

Henry L. Ellsworth

Patent Office June 13, 1836

Sir,

I have the honor to transmit a weekly list of
 the patents granted from the 1st January to the 4th June 1836 inclusive

Very respectfully

Ed. Hon. John Forsyth
 Sec. of State.

Henry L. Ellsworth

Patent Office June 22, 1836

Sir,

I have the honor to transmit, herewith, the weekly list of
Assignments recorded ending the 14th & 15th instant

Very respectfully

Hon: John Forsyth
Secy of State.

Henry L Ellsworth

Byd
H.L.

Patent Office June 9 1836

Sir,

In the applications of William Norris of Philadelphia
and Arthur Allingtons of Providence before a patent for spark
extinguisher an interference is adjudged - The parties have been
duly notified. Mr R. Beale & Wm D Elliott have been appoint-
ed by the applicants. Will the Hon. Secy appoint a third ar-
bitrator.

Yours respectfully

Hon. J. Forsyth
Secy of State.

Henry L Ellsworth

Byd
H.L.

Patent Office June 23, 1836

Sir,

I have the honor to transmit, herewith, the week-
ly lists of Patents granted for the weeks ending the 11th &
18th instant.

Yours respectfully

Hon. John Forsyth
Secy of State.

Henry L Ellsworth

Byd
H.L.

Patent Office July 22^d 1836

Sir,

In the months of September & October Mr. Mills
labored as draughtman beyond the hours fixed on his time

of employment and I beg leave to present his bill for compensation to the consideration of the House. I am
 Sir, your obedient servant

W. E.

I am very respectfully
 Dear John Forsyth
 Secy of State.

Patent Office July 8th 1836

Sir,

We have had three different plates to conform to the
 different descriptions of persons and the oaths required of each.
 The new law requires the same oath of all inventors whether
 foreigners or citizens, so far as respects the inventions or discove-
 ry - the oath of country of allegiance is different - I have thought
 one plate with more blanks might accommodate all of these
 oaths - I submit a form -

I also submitted a device for the seal and that
 the same may be laid before the President for his ap-
 probation if the same meets the approbation of the Hon.
 Secretary.

The circular to patentees desiring information
 I hope to have ready Monday morning

Very Respectfully

Dear John Forsyth
 Secy of State -

Henry L. Ellsworth

The Secretary of State having examined the device for a
 seal and being satisfied with it, has added the words
 Seal of the Patent Office he adduces to it, respectfully submits it to
 the President - together with the accompanying forms and draw-
 ings. D. C. of State, July 9 1836.

The act provides for a seal with such device as the
 President shall approve.

approved with the addition as above. Secy of the Pa-
tent Office.

W. J.

Exd

WJG

Patent Office Sept 20 1836

Sir,

My son was employed a few weeks in my absence last October and by my letter to the Hon. Secy dated 29th Sept it was left discretionary with the Secy to allow any charge for the services. — As help was necessary and the services fully paid, rendered I think the charge at the rate of \$1000 per year would be equitable — I felt unwilling to trust my private papers and political correspondence in the hands of a stranger and therefore wrote my son to come from New Orleans —

I would remark that the appropriations under the old law remains and must remain mostly unsuspended as the Secy of the Treasury has decided that all expenses incurred since the passage of the new law must be charged to the patent fund established and accruing under the same. Those expenses occurring previous to 4 July (and my son's bill, issue) are chargeable to the old fund.

The Hon. Secy will please decide whether the charge is proper.

I remain most Respy

Respy

Hon. John Forsyth
Secy of State.

Henry L. Ellsworth WJG

Patent Office October 28 1836

Sir,

Previous to the passage of the new patent law, it was customary to issue two or more patents for one invention and but the applicant paid the full fee of 20\$ — The old law authorized a new patent to be granted and had three

been no precedent, sanctioned by the Attorney General I should have hesitated about granting, under the old law, more than one patent for another's improvement.

Under the new law I have uniformly declined giving but one new patent on a reissue; because the law says 'a new patent may be issued' and because the fee is limited to 15¢. It will be seen that if more than one is granted, the revenue will be defrauded - a case now before me will fully explain.

Messrs Fairbanks, took out several years since two patents - They want to surrender the two, and take out seven distinct patents - for these seven I can only charge 15¢ each - But when granted the patents will each be distinct and complete, and, although the Messrs Fairbanks would cheerfully pay the 30¢ each, still, I cannot, nor can the Treasury, take over 15¢ the seven times. - Let me add, suppose an individual should embrace in one what might make 10 patents. After the patent was obtained, for 30¢ would it do to surrender the old one, and get out ten new ones for 15¢ each? This might encourage dishonesty.

Congress might authorize more than one reissue for a surrendered patent, and then the same would be free from the objection stated.

I have received several letters from distinguished counsel for patentees, and promised to lay the subject before the State Department for the opinion of the Atty. Gen. unless the Hon. Secretary should decide the point without such reference.

I am most respectfully,

Yours, John Forsythe
S. of S. State

Henry L. Ellsworth

P.S. I enclose the same paper with the edition (15) marked. E. H.
referring to the printed instructions. H. L. Ellsworth N.Y.C.

Patent Office Dec 25 1836

Sir,

Herewith you will receive the letter referred to me
on the 20th 1836 with the assignment of J. C. F. Salomonson, duly re-
corded in this office.

I have the honor to be very respectfully

Yours Ob^d Serv^t

H. L. Ellsworth

Per
N.Y.C.

Hon. John Forsyth
Secretary of State.

Patent Office Dec 14 1836

Sir,

I have the honor to acknowledge the receipt of
yours of the 11th, this morning. To the enquiries why Mr
Johns has not performed the duties assigned him &
why other persons were paid for performing these duties,
I have very respectfully to observe, that when I entered on the
duties of Superintendent in July last I found the division
of labor, the same as it remained until the change made
last Saturday, under instructions from the Sec^y. Mr. Johns
performed the same duties after my Superintendency as
before.

Continuing on my new duties I found much to
do and many embarrassments, and I did suppose
that the duties of the Clerks, as then performed, were
satisfactory. While I must therefore refer to my predecessor
for the most definite information on subjects not of record
I will briefly add what I understood upon enquiry some
months after my arrival why the duties enjoined by the

order of Sept. 1834 were not exactly complied with
 I understood Mr. Mayo was once dismissed and reinstated,
 or rather employed to record patents under the special appropria-
 tion of Congress - Mr. Mayo returned upon this last duty in
 March 1835 - as he was competent to do the whole of the re-
 cording of patents, Mr. Johns not required to do other work
 demanding immediate attention such as I specified in
 my last letter of the 11th instant.

Mr. Steiger occupied the place which Mr. Mills late-
 ly held, he was active, industrious & systematic and he kept
 the accounts of the Office. Why Mr. Dickitt found it expedient to
 keep these accounts himself as well as perform some other
 duties assigned to Mr. Mills (as successor of Mr. Steiger) I
 beg to refer to Mr. Dickitt - I am confident his reasons
 will be satisfactory. In answer to another enquiry, I remark,
 Mr. Hoane has suffered some from ill health since I un-
 derstood it was impossible to keep up the business of the
 Office without some occasional help in his branch; as the
 general order of 1834 made it obligatory on the Clerks to
 do such other duties as were required, I presumed it was
 supposed that it would be satisfactory to employ Mr. Johns
 in the manner I have mentioned since March 1835.

I cannot omit to add, that the great increase of
 business has imposed upon the incumbent a correspon-
 dent effort & compelled him to do the business if possible
 without additional Clerks - The Clerks generally do
 not enjoy very good health, and this fact together with
 the increase of business & the very pressing importunities
 of Patents could be offered as an apology for occasional
 departure from the strict letter of the order of 1834, but it
 is not my object or province to apologize for others. I follow-
 ed the "beaten track" and introduced no change or alter-

divers which had not I believe been fully transmitted
to the Hon. Secretary;

I have the honor to be most respectfully
Yours obediently

Hon John Forsyth
Secy of State

Henry L Ellsworth

Exd
Off.

Patent Office December 15, 1835

Sir,

In answer to the enquiry as to the delay of Victor de
Brazine patent, I have to observe, that it ^{took its} regular turn in the
docket and has this morning been referred to the Attorney
Genl - After receiving the seal of the Secretary of State it will
be forwarded - I have written to Mr Jonathan Crook of
New York who addressed yourself the letter, giving him
the above explanation.

I regret that the business is accumulating so fast
the enquiries of members of Congress are frequent and
require great search. One enquiry occupies a Clerk
nearly two days - I hope for some relief soon.

Yours respectfully

Hon John Forsyth
Secy

Henry L Ellsworth

Exd
Off.

Patent Office Dec 15. 1836

Sir,

I deeply regret to say, that all the records models
and papers of the patent Office were destroyed by fire last
night - I hastened to the scene and saw every personal
effort to save the papers, but in vain. The same cause
which prevented those who slept in the City Post Office direct-
ly render the Patent Office from saving the mails, preventing

me, so am saving any thing in the Patent Office.

The Patent Office is now destitute of all accommodations for the transaction of business and I have to enquire what shall be done?

I am yours respectfully,

1836
Hon. John Forsyth
Secy of State.

Henry L Ellsworth

To the President of the United States -

Sir,

A letter has been this morning received from the Superintendent of the Patent Office, dated on the 15th instants, in which he states that all the records, models, and papers of that office were destroyed by fire on the previous night, and that he is destitute of all accommodation for the transaction of business - and enquiring what under these circumstances is to be done. -

I have the honor to suggest, that the Superintendent be directed to procure such temporary accommodation as may be necessary for the transaction of the business of the office, until provision shall be made by Congress for that purpose.

I have the honor to be Sir your obedient,

Department of State

John Forsyth

Dec. 14, 1836.

Approved -

Andrew Jackson

Attorney General's Office December 15th
1836.

Sir,

In answer to the question proposed in the letter of the Commissioner of Patents enclosed in your communication

of the 31st of October last; and on which you have requested my opinion, I have the honor to reply, that in my judgment, there is no sufficient reason for departing from the construction which was given to the corresponding part of the former patent law; and the usage which obtained under it, in respect to the issuing of several patents in lieu of one patent surrendered.

As the charge on the new patent is reduced from thirty to fifteen dollars, the Commissioner suggests, that the revenue may be defended, if a party be allowed first to include several distinct improvements in one patent, and then to surrender the patent and take out several new ones; and if the suggestion were well founded, it would certainly furnish a good reason for a more rigid construction of the present law, than was given to the former statute. But unless there be some error in the specifications, arising from "inadvertency, accident, or mistake, and without any fraudulent or deceptive intention" the new patent cannot be issued; and in the case supposed in the objection I am considering, there is a fraudulent and deceptive design to elude the payment of the legal charge, and of course such a case is not within the law.

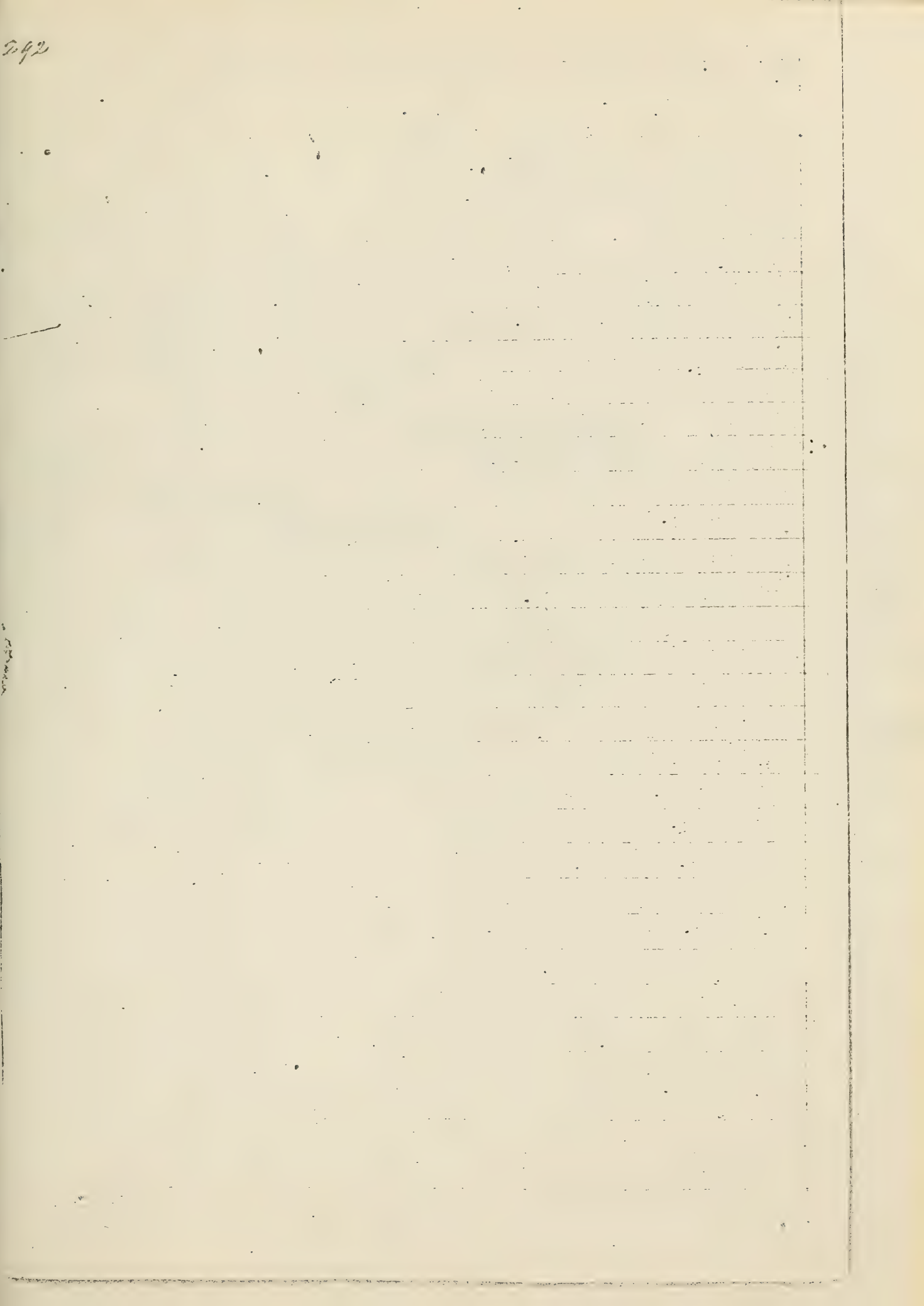
I am Sir, with high respect, Your obed^t Serv^t.

The Honorable John Forsyth

Ch. Sec. of State

Secretary of State

The letter of the Commissioner of Patents is herewith returned.



Patent Office

June 6 1836

Sir,

I have the honor to transmit in conformity with the order of Sept. 1834 a list of assignments recorded, between July 18th 1835 and June 4th, 1836.

Yours

most respectfully,

Hon.

Henry L Ellsworth

J. Forsyth

Secy of State.

(over)

Dept of State

December 27 A. 1814.

Doctor William Thornton.

Sir,

I have, on full reflection, drawn up a regulation for the Patent Office, which I herewith beg leave to enclose to you.

As the Officer having the superintendence of the Patent Office, is especially charged with receiving, and keeping all the papers, documents & records, relative to Patents; and as in the questions that may arise out of them, and which this Department may ultimately have to determine, a respect is due to his experience and judgment, it is conceived that there are good reasons why he should abstain from appearing as a party interested, either directly, or indirectly, in any case of a claim for a patent right. If it be said that this is taking from the Patent Officer a right which the law gives to every other Citizen, the answer is obvious; that it is adopted as a mere regulation of the Department, which when it is made known beforehand to the Officer, it is at his option to assume the superintendence, subject to the restriction. I have made it, as you will observe, prospective, to operate after the first of January. This has been done with a particular reference to yourself as the present incumbent of the Post; and that, as you have heretofore had no notice of any such rule, time may be allowed you to perfect any rights which you may now happen to have, if such be the fact, under the Patent Law; in the same manner as if the rule in question had not been adopted.

Besides other reasons in its favor, there is that de-

void from the analogy of the law of Congress which prohibits Officers of the Customs from owning a vessel, or having any participation in the importation of goods; and the law which interdicts all the Officers of the Treasury Department from dealing in any wise in stocks or public securities of the United States, or of any State. There are other laws of a similar spirit in our Statute book.

It is proper to add, that ^{the} rule is laid down from the opinion I have adopted of its propriety upon general grounds, as connected with the business of the Department, and not from any supposition that motives other than those which aim at a faithful execution of the Patent law, ever have, or could, influence your conduct.

I am Sir, &c.

Jas Monroe.

William Thornton Esq: Patent Office

24 July, 1818.

Mr. Adams presents his compliments to Dr. Thornton, & thanks him for the two drawings which he had the goodness to make for the Dept.

With respect to the postage of letters to the Patent Office, on public business, Mr. Adams observes, that as the laws have made no provision for that case, he knows of no other rule than the practice in relation to similar cases heretofore. What that practice has been he is not informed, & therefore cannot do better than ^{leave} the questions to the discretion of Dr. Thornton.

February 1, 1819.

William Thornton,

Sir,

Alexander Black is desirous of exhibiting to the Committee of Commerce and Manufactures of the House of Representatives, the models of certain Lamps which he deposited in the Patent Office some time ago, and upon which he obtained a Patent, and also models for Lamps which Winslow Lewis deposited in the same Office, and upon which he has obtained a Patent, and has a check for authority from this Department to get them accordingly delivered to him. As he states that he wishes these models for the purpose above mentioned, and that the Committee is desirous of inspecting them, for an object which is now before them, you will please to deliver them to him, taking his engagement that they be returned to the Office, uninjured, and unaltered.

I am, &c.

J. Q. Adams

Ed
8/10

Doctor Wm. Brewster

Superintendent of the Patent Office,

Department of State,

Washington 26 Oct. 1819.

Sir,

I have received an application from several respectable persons recommending the employment of Mr. Jonas Heller, to repair the numerous models in the Patent Office, which are understood to be at this time in a state of mutilation, requiring a skillful and careful hand to mend and arrange them. I have therefore to request of you a report, particularly stating whether any, and, if any, which of the models are in such a state of mutilation, and the cause or causes, by which they have been mutilated.

I am, &c.

John D. Adams

Ed
J.D.

William Thornton Esquire,
Patent Office

Department of State
Washington 6 July 1820.

Sir,

I am desired by the Secretary to inform you that it would be very agreeable to him if you could comply with the earnest request of Mr. Lewis, in furnishing him with a detailed Certificate of the deposit in the Patent Office of his numerous claims to Inventions, to serve as a general caveat against others, sitting up titles to the same Inventions.

I am, &c.

Daniel Brint.

Ed
J.D.

William Horrocks Esquire
Patent Office,

Department of State,
Washington 20. Aug. 1822.

Sir,

I am directed by the Secretary to inform you that he authorizes you to employ the Swift, Hatter; till the meeting of Congress, to repair and keep in order the models in the Patent Office, at an allowance not exceeding two dollars a day for this service.

I am Sir, respectfully

Your obedient humble servant,

Daniel Brent Esq. MB

William Horrocks Esquire
Patent Office.

Department of State,
Washington 11. Nov. 1822.

Sir,

I am directed by the Secretary, to return to you the enclosed letters from and to J. R. Nourse, and at the same time to transmit the enclosed copy of a Letter from the Attorney General of the United States to this Department dated the 5th instant, upon the subject of the reference which was made to him at your instance of the questions proposed in Mr Nourse's Letter, as to the true construction of the laws respecting Patents, in the case stated in his Letter.

I am Sir, with great respect and esteem,

Your obedient and very humble servant

Daniel Brent. Esq. MB

William Thornton Esq.
Patent-Office,

Department of State
Washington 11th April 1823.

Sir,

The Rev^d Mr. Robert Little has asked permission to examine such specifications in the Patent Office as are not under an engagement of secrecy, and to take copies of such as he may deem fit for publication in a quarterly Magazine, which he is about to publish in this City. The Secretary sees no objection to his having this permission and desires that it be accordingly given to him.

I am Sir, Your obedient Servant

Ed W

Daniel Brent

William Thornton Esquire,

Department of State,
Washington 9 April 1823.

Sir,

I have been directed by the Secretary to inform you that you are at liberty to employ Heller in the Patent Office, in the way that he has heretofore been employed, upon condition that he will depend for his pay upon the success of an application which will be made to Congress by this Department, at the commencement of the next Session, for an appropriation of the money that may be required to defray the expense, and with the understanding that no advances can be made to him in the meantime on this account.

Ed W

I am, respectfully, Sir,

Your obedient humble servant

Daniel Brent

William Thorndore Esq.
Patent Office.

Department of State,
Washington 16th July 1825.

Dear Sir,

The President being extremely desirous, as you know, that the Records of the Patents, from the beginning should be brought up, and Mr. Little being, as I understand, willing to undertake the work, upon the presumption that the Secretary will recommend, in his Estimate at the next Session of Congress, an appropriation of money, to meet the expense, and that Congress will accordingly make it, I beg leave, in the absence of Mr. Clay, to advise the employment of Mr. Little for the purpose above referred to, with an understanding, however, that this arrangement must be subject to the approval of the Secretary, upon his return, for its continuance.

I am, Dear Sir, Respectfully,

Yours obt. Serv^t

Signed — Daniel Brevint — Esq.

William Thorndore Esq.

Department of State,
Washington, 8 Decr 1826.

Sir,

I am directed by the Secretary to inform you, in reply to your letter to him of the 28th 11th, that he will, ^{also} take suitable opportunity of recommending to the Chairmen of the Committee of ways and means of the House of Representatives, an augmentation of your salary; but he directs me to add, that he will not propose any other alterations or augmentations, of any description, with regard to the Patent Office, than those proposed at the last Session of Congress. He will re-

committee only, as it regards yourself, an increase of consultations, leaving to the judgment and discretion of the Committee itself, to establish the degree of that increase, unless he should be specially applied to for advice upon this point: in which case he will be prepared to give it, with a view to all circumstances connected with the affairs.

Encl B

Yours &c.

Signed - Daniel Brent.

William Thornton Esq^r,
 Superintendent of the Patent Office.

Department of State,
 Washington 27 Aug^r 1827.

Sir,

The Secretary desires me to inform you, as I have the honor to do, that he thinks Mr. John M. Benham is entitled to a patent, for the application of the water proof cement in the manner and for the objects, stated in his specification, and that he wishes you to give him a patent, accordingly, upon his complying with the requisitions of the law. -

I am, Sir, respectfully,

Yours obed^t serv^t

Signed - Daniel Brent.

Thomas P. Jones Esq^r,
 Patent Office.

Department of State,
 Washington, August 4, 1828.

Sir,

I am directed by the President to observe to you, in relation to a circular letter, which is understood to have been prepared by you, and, in some

Encl

B

instances, already used, which contains directions to persons desirous of taking out patents how they are to proceed to obtain them, that, in the absence of the Secretary he is of opinion you ought not to make any further use of that letter. It would seem from an article in the Journal of Commerce, printed at New York, of the 30th or 31st. Nov^r, that the Circular in question conveys an idea that a very great proportion of the patents which have been heretofore issued under the authority of this Department, with the concurrence of the Attorney General, are defective in substance and form, and that they would not be considered good, if questioned before ^{the} judicial authority of the United States. Whilst a suggestion of this sort is well calculated to excite the apprehensions of Patentees, as to the validity of the rights, which they have acquired for valuable considerations, it does not appear to the President to have been proper, even, if the fact warranted the remark, and the patents in existence are thus defective, that it should have been made more prominently by the Office whence they were immediately issued. The objections to the suggestion apply with still greater force, as he thinks, if there exists, in truth, as is believed to be the case, no irregularity in the patents themselves heretofore granted, either in substance or form.

I am, Sir, respectfully,

Your ob. servt.

Signed — D. Brent.

26 Nov

Doctor Thomas B. Jones,

Philadelphia,

Department of State,
Washington, 22d. 1828.

Dear Sir,

I am

directed by the Secretary, to transmit to you the enclosed letter, from Mr. William Elliot, to his Department, and, according to the suggestions, which it contains, to state, that it appears necessary, you should make provision for the opening of letters addressed to you, as Superintendent of the Patent Office, which shall have been, or may be, received here during your absence, and am with great respect,

Edw 89R

Your obt. servant,

Signed — D. Brent.

John D. Craig Esq.
Superintendent of Patent Office.

Chief of Bureau, W 20 March, 1830.

Sir,

Two requisitions have this day passed from this Department on the Secretary of the Treasury, to cause two warrants to issue in your favor, out of the following funds, and for the amounts set opposite to each - You will, of course, be charged on the Books of the Treasury with these amounts; and accounts will have to be rendered, with the approval of the Secretary of State thereon in writing, to the 5th Auditor of the Treasury, with accompanying vouchers, quarterly, say on the first of April, July, October, and January. -

Viz. Out of the appropriation for contingent expenses of the Patent Office for 1830, the sum of \$500, and out of the appropriation for completing the fixtures of the Patent Office, \$1000. -

I am, Sir,

Yours respectfully,

Signed - W. C. C. Waddell. Sgt. - E. D. H. R.

Dept. of State, W 22 July 1831.

John Craig Esq.
Superintendent of the Patent Office.

Sir,

I am directed, by the Secretary, to inform you, as I take pleasure in doing, that he wishes you to add one hundred dollars to the annexed allowance which is made to Bishop, the Messenger of your Office for salary, counting from the 1st of this month, in consideration of his being occasionally employed in copying for the office.

I am,

I am, respectfully
Sir, Dear ob. Serv^t

Signed — D. Brent.

Ed. M.

Doctor John D. Craig, Supervisor
of the Patent Office.

Dept of State, 17 April 1832.

Sir,

If Mr. Weaver has written to
the amount of one hundred dollars, I wish you would pay
him as far as he has gone. If the warrant I left for you is
not sufficient for your current expenses, another will be is-
sued. I desire, also, that benches and a stove might be
procured to make the Clerks comfortable.

I am, Sir,

Yours obed^t serv^t

Signed - Edwin Livingston

Edw L

Dept of State, 15 Jan^y 1833.

John D. Craig Esq^r &c.

Sir,

I am directed by the Secre-
tary, to send you the enclosed letter from Mr. Lewis Wil-
liams of the House of Representatives on the subject
of the petition of Mr. A. D. Smith which accompanies
it, and to request you, on the part of the Secretary, to an-
swer Mr. Williams.

Respectfully,

Yours &c.

Signed -

D. Brent.

Edw L

John D. Craig, Supervisor
of the Patent Office.

Dept of State, 24 June 1833.

Sir,

I have received your let-
ter of this day, representing Charles Belfrage, a Clerk in
the Patent Office to be incapable of performing the duties

assignee to him, and have to state in reply that Mr. Bulfinch has been informed that his employment will cease on the last day of the present month.

In the interim I will appoint another Clerk in his stead, who, it is hoped, will possess such qualifications as will enable you to make the saving referred to in the last paragraph of your letter.

I am, Sir, respectfully,

Yr ob. serv^t

Signed - Louis McLane

Enc. 5116

John D. Craig Esq^t
Superintendent of the P. Office.

Department of State,

Washington 26 June 1853.

Sir,

I communicate to you the copy, enclosed, of a letter which I have just received from Mr. Charles Bulfinch, upon the subject of the recent order for his dismissal from the Patent Office. That he may have the opportunity of explanation, I wish you to consider that order as suspended for the present, and, in the meantime, you will allow him free access to such papers, or records of the office as he may think necessary for his defence.

I am, Sir, respectfully,

Your obedient serv^t

Signed - Louis McLane

Enc. 5116

The Secretary of State transmits to the Superintendent of the Patent-Office the enclosed communication from Mr. Charles Bulfinch Jan. to the Secretary, with the accompanying papers, vindicating himself against the charges exhibited against him, and will be glad to receive such observations thereon as the Superintendent may think fit to make.

Dept. of State, 9 July 1833. P.D. 11.

John D. Craig Esquire
Patent-Office,

Department of State
Washington 6 July 1833.

Sir,

The accompanying opinion has been addressed to me by the Attorney General, in reply to questions propounded, relating to the application of Thomas C. Newton for a patent, and I enclose it to you for your guidance in any further proceeding which may be had in that business.

I am, &c.

Signed - Louis McLane.

End P.

John D. Craig Esquire
Patent-Office.

Department of State
Washington 20 August, 1833.

Sir,

I submitted your letter of the 15th, with the patent and papers accompanying it, to the Attorney General of the United States, for his opinion on the questions stated, as to the legality of issuing an amended patent to John Goulding, on the surrender of an old one, which he holds indirectly by assignment from the original inventors and proprietors, and upon a specification of his own, not sworn to, and I now transmit to you a copy of the opinions of that officer, that the new patent cannot be given. I return the papers in the case.

I am,

I am, Sir, respectfully

Your obedient servant,

Signed - Edw. Brent.

Enc 2nd 1836

John D. Craig Esquire
Superintendent of the P. O.

Department of State
Washington 11th Oct. 1835.

Sir,

It appearing by your letter of the 19th ult., that an allowance, at the rate of \$200 a year has been paid by you to the messenger of the Patent Office, under an express authority of the Secretary of State, you are authorised to include this sum in your accounts supported by the proper vouchers, until the close of the quarter ending yesterday. - But as a regulation has been adopted in this Department, by which Messengers are not to be called upon, or permitted to perform the duties of Clerks, no such allowance can hereafter be made.

I am, Sir, Your obedient servant,

Signed - Louis McLane

Enc 3rd 1836

John D. Craig Esq.
Superintendent of the Patent Office.

Department of State
Washington 17 Oct. 1835.

Sir,

Referring to your several communications to my predecessor and to myself respecting the employment of Clerks in the Patent Office, and to the money received for copies of papers and drawings, I have to observe that by the act of Congress passed the 23rd April, 1835, entitled "an act to regulate and fix the compensation of the Clerks in the Department of State", the Secretary of State is authorised to employ one Superintendent of the Patent Office, two Clerks in the Patent Office at a salary not exceeding \$1000 per annum, and one Clerk at a salary not exceeding \$800 per annum. The Clerks authorised by this law, have been duly appointed, and are now employed in the

Printed
Dec 29th

office in their respective duties.

By a resolution of Congress, passed the 7th of March, 1832, entitled "Resolutions concerning the recording of Patents for useful inventions," the Secretary of State was authorized, out of the proceeds arising from the fees on patents, to procure the necessary books, and other accommodations for recording patents issued and unrecorded, as well as those hereafter to be issued, at certain rates specified in the Resolution, and by the appropriation act passed the 5th of May 1832, the sum of \$12,000. was appropriated for this purpose.

Under this Resolution, the Secretary of State employed several extra Clerks, by whom the patents issued and unrecorded have all been recorded. The Clerks so employed, with the exception of Mr. MacDonald, have been discharged, and their accounts closed; and though a balance of the appropriation remains unexpended, I understand from the Superintendent, that with the number of Clerks authorized by the Act of 23 April 1830, and the remaining ^{one} retained, under the Resolution of 1831, provided they are efficient persons, and faithfully perform their duties, the patents hereafter to be issued may be recorded without the employment of any additional force.

Under these circumstances I consider that there is no authority in the Department to employ any other Clerks in the Patent Office, and that, in future, they must be limited to that number.

By the Act of Congress of 21 February, 1793, entitled, "An Act to promote the progress of useful arts, and to repeal the Act heretofore made for that purpose", it is provided that for every copy which may be required at the Office, of any paper, respecting any patent that has been granted, the person obtaining such copy shall pay at the rate of 20 cents for every copy, sheet of 100 words, and for every copy of a drawing \$2, of which payments an account shall be rendered annually to the Treasury of the U. States, and they shall pay to the account of Clerk hire in the Office of the Secretary of State.

It is represented to me by the Superintendent, that this duty of

making and giving copies of papers and drawings has been hitherto permitted to be, and is now performed by a different person than the Clerk employed under the Act of 23 April 1830, and the Resolution of 1831, who has also received the fees and applied them to his own use. — I consider this practice altogether irregular, and unauthorized. The Secretary of State cannot employ any more Clerks in the Patent Office, than those authorized by the Acts of Congress. The Resolution of 1831 does not authorize the employment of any Clerk for the purpose of giving copies of papers and drawings, and therefore this service must be regularly performed by the Clerks employed under the Act of 23 April 1830.

The copies of papers and drawings authorized by the Act of 21 February 1793, should be given under the direction of the Superintendent, by such persons regularly employed in his Office, as he may designate, and the fees paid, therefore, should be by him received and accounted for to the Secretary of State. The direction in this Act of 1793 that the amount received shall pass to the account of Clerk hire gives no authority to employ any Clerk not authorized by the other Acts of Congress, but the money paid into the Treasury is merely auxiliary to the general fund for Clerk hire.

In future, therefore, it will be the duty of the Superintendent to see that this duty is performed by a Clerk regularly employed, and that the fees received be regularly accounted for to the Secretary of State, that the amount may be passed to the Treasury according to law.

I am, respectfully, Sir, Your obedient servant,

Signed — Louis McLane

Ed J Mc

John D. Craig Esq.

Department of State

Washington 11 Novr 1833.

Sir,

I have this day appointed Mr. Steiger a Clerk in the Patent Office, in the place of Mr. Buffinck, to continue in office until the end of the present month. His employment during that period will be approved by me.

I am very respectfully, Sir, Your obedient servant,

Signed — Louis McLane

Ed J Mc

John D. Craig Esquire,
Superintendent of the Patent Office.

Department of State
Washington 16 Decr 1833.

Sir,

In answer to your letter of the 12th instant, stating that the drawing table of the Patent Office, which has been occupied for several years by Mr. Elliot, is now wanted for Mr. Steiger, but that Mr. Elliot refuses to give it, unless ordered by the Secretary of State, I have to inform you, that if the table is the property of the Office, it is to be under your control. I take occasion to communicate for your information, and that of the Clerks in the Patent Office, a regulation which has been adopted for the Government of all the Clerks in the Department. It is, that no Clerk can be employed for his private emoluments, in preparing papers relating to business which is to be acted on by the Department, nor in copying papers that are on file, or of record in the Department.

I am, respectfully your obedient servant,

Signed - Louis McLane E.D.M.

John D. Craig Esquire
Superintendent of ^{the} Patent Office.

Department of State
Washington 16 Decr 1833.

Sir,

I enclose a copy of a communication received this day from Mr. William D. Elliot, containing charges against you as Superintendent of the Patent Office, and have to request that you will make such explanations as you may have to offer on the subject of the 1st 2^d & 3^d charges.

I am, respectfully, your obed^t servant,

Signed - Louis McLane E.D.M.

John D. Craig Esq. &c.

Department of State,
W. 17 Decr 1833.

Sir,

Sir,

I have just received your letter of this date, requesting an investigation into the charges preferred against you by Mr. Elliot, and Mr. Elliot will, therefore, be called upon to furnish such proof as he may have to adduce in support of them.

I am, &c.

Signed - Louis McLane

Ex 94R

Department of State

Washington 18 Dec. 1833.

John D. Craig Esquire &c.

Sir,

In your letter of the 9th instant relating to the complaint of Mr. Geo. H. Richards that the information requested by him, and which he believed he had a right to obtain, had been refused to him in the Patent Office, you observe that "all patented papers on file in this Office, are considered private property, and as such they are held sacred. They are not seen by, nor their contents made known to any person, without the order of the owner. In the present instance, I was desired to state whether any other papers than those of Mr. Richards had lately been sent to the Office on the subject of turning, and if so, what was the person's name, who sent them, and did they contain any improvements similar to those of Mr. Richards? and that "to have answered these questions I would have considered ^{a violation of my oath of office, and certainly} a violation of that trust and confidence reposed in me by every person, who deposits in this Office, specifications of his improvement, before he is ready to take out a patent." You also refer to a rule of the Office established at its commencement, to that effect.

I will be glad to be informed by what authority, and for what objects, patented papers are deposited and received on file in the Patent Office; and also, for what purpose the papers referred to by Mr. Richards, if any such were received, were deposited.

You will please, also to state the actual conditions of Mr. Richards's application; and, at the same time, to communicate a copy of the rule to which you have referred; and also inform me in what particular you would have violated your oath of office and the trust and confidence reposed in you by those who have deposited papers under the circumstances stated.

I am, very respectfully, your obed^t servant,

Signed - Louis McLane

Encl. MR.

Department of State

John D. Craig Esq: &c.

Washington 20 Dec: 1833.

Sir,

I have received your letter of the 18th instant, and have to request that you will furnish me with the letter from which you have given an extract, and also that to which it is a reply.

I have also to request that you will inform me whether it is not usual for persons depositing unpatented papers, to state the object of placing them on file, and that you will state the practice of the Office, in regard to unpatented papers, since the letter of 24 Oct: 1822.

I am respectfully, Your obed^t servant,

Signed - Louis McLane

Encl. MR.

Department of State

John D. Craig Esquire

Washington 8 January 1834.

Superintendent of the P. Office.

Sir,

I have fully considered your several communications relative to the complaint made of your conduct by Mr. G. W. Richards, and perceiving a necessity for an entire revision of the rules for conducting the business of the Patent Office, I will immediately give my attention to the subject.

More time I was constrained to observe, that the explanation of your conduct in the case of Mr. Richards is not satisfactory. It is true that the 24th rule of the Circular to which you call my attention, requires that unpublished papers deposited in the Office shall not be seen by, nor their contents made known to any persons, without express orders from their owners, but it does not appear to me that this rule authorized your refusing to answer the enquiry made by Mr. Richards, much less the manner, in which, it is represented you refused.

Capt. Richards had regularly, and, in due form, filed his application to obtain a patent for a new invention for tanning leather, and the absence of the Attorney General is represented by you, to have prevented the completion of his application. - At that time, you were informed that he was apprehensive, from information received by him, that some one to whom he had confided his invention, had applied for a patent, and you were asked, whether any one had obtained, or applied for a patent for tanning in the same method. It appears to me that the enquiry was in every view proper. This information you refused, and as is avowed by the gentleman applying in behalf of Capt. Richards, and not contradicted in any of your letters, in so rude a manner, as to put it out of his power to have further intercourse with you.

If any other person had either obtained, or applied for a patent for the same invention, the 24th rule did not apply to the case, and it was your duty, especially under the circumstances, to have given the information requested.

It now appears, however, by your letter to the Department of the 18th Decr last, that "no such papers as were referred to by Mr. Richards were received", and, therefore, even giving to the 24th rule its broadest application to unpublished papers, you would have discovered nothing intended by the rule to be kept secret, nor violated any confidence, nor done any injury to any one by truly giving a negative answer. But by refusing

to give the information, you not only neglected the performance of a plain duty, by forwarding your refusal upon the 24th rule, but withdrew an inference, contrary to the fact, that such papers may have been filed.

I am aware that you may have acted with the best intentions upon your interpretation of the rule, and felt yourself authorised to withhold the information requested by Capt. Richards. In such case, however, your demeanour should have been respectful, and a citizen applying for information, in which he had a deep concern, was entitled to a civil explanation of the difficulties which prevented him from receiving it. - Courtesy towards those who have business with the public is the indispensable duty of all persons employed in the office, and, although I am not disposed to act, on the present occasion with even apparent rigor, I shall, nevertheless feel constrained, in case of a repetition of my disregard of duty, on so important a point, to apply the appropriate remedy.

I content myself for the present, with directing that you will, without delay, word by letter to Mr. Richards, afford the information he has requested, and that, until you receive the revised rules which I am now preparing, you will consider the 24th rule of your circular of the - of - as rescinded. You will also consider yourself authorised to receive "unpatented papers", on file in the office, only for the purpose of being made known to others, who may subsequently apply for patents for similar inventions.

I am, Sir, respectfully your obed^t servant,

Signed - Louis McLane

Encl 8312

John D. Craig Esquire
Patent Office

Department of State
Washington 7 Jan'y. 1834.

Sir, Enclosed herewith is a copy

of the specifications of the charges made against you by Mr. William P. Elliot. The investigation of them will be prosecuted in such manner, as you may indicate as most convenient to yourself.

I am, respectfully, Dear obed^t. serv^t

Ed. H. R.

Signed - Louis McLane

Department of State

Washington 25 Juny. 1834.

John D. Craig Esquire

Superintendent of the Patent Office

Sir,

In reply to that part of your letter, this day received, in which you request that Mr. Elliot may be dismissed from the Patent Office, I have to inform you that as that gentleman is not employed as a Clerk, or in any other public capacity this department will not interfere with your desire to prohibit his occupying either of the rooms in your office.

I am, very respectfully, Dear obed^t. serv^t,

Ed. H. R.

Signed - Louis McLane

Department of State

Washington 27 Juny. 1834.

John D. Craig Esquire

Superintendent of the Patent Office

Sir,

In your letter of the 24th instant, acknowledging mine of the 7th instant, you inform me, that to repel the charges of Mr. W. P. Elliot in the most effectual manner, and expose the turpitude of their author, you had brought suit against him; and as you say nothing of the investigation proposed in my letter, I infer that you suppose it to be ^{unnecessary} by the institution of the suit. - I have to remark, however, that your proceeding against Mr. Elliot, being to obtain redress for the injury resulting to you from his ac-

cusations, is altogether unconnected with the examination instituted by the Department, with a view to the public service into the truths of those accusations. I shall therefore proceed with the investigation, and you will accordingly indicate the manner in which it will be most convenient for you to have it carried on.

As considerable delay has already occurred, your early attention to the subject is requested.

I am respectfully Dear obed^t Servant,

Signed - Louis McLane

Enc 8110

John D. Craig Esquire
Superintendent of the Patent Office.

Department of State
Washington 27 Jan^y 1834.

Sir,

I wish to be informed whether you have given to Mr. C. H. Richards of New York the information requested by him, and, if so, at what it was transmitted to him.

I am respectfully, Yours &c.

Signed - Louis McLane

Enc 8112

John D. Craig Esquire
Superintendent of the P. Office.

Department of State
Washington 2 Feb^y 1834.

Sir,

I have received your letter of yesterday in answer to mine of the preceding day.

That the investigation may be conducted in a satisfactory manner, and without unnecessary publicity, I have placed it in charge of Mr. Duffon of this Department, and have directed him to make it at the Patent Office. He will attend, for that purpose, on Wednesday next, the 5th inst^{ant}, at 12 o'clock, and will continue it from day to day as may be found necessary. Both you and Mr. Wm. P. Elliot will have liberty to

be present, and any witnesses, whom you or he may bring for-
ward, will be admitted on oath.

I am respectfully Your obedient servant

Ex 3111

Signed - Louis McLane

John D. Craig Esquire
Superintendent of the P. Office.

Department of State

Washington 11 Feb. 1834.

Sir,

Mr. W. P. Elliot having represented
ed to the Department that in consequence of a recent severe
indisposition, he is unable to leave his room, the examination
at the Patent Office is postponed for a week, viz. to Wednesday
the 12th instant, at the same hour.

I am, &c.

Ex 3116

Signed - Louis McLane

John D. Craig Esquire &c.

Department of State

Washington 22 Feb. 1834.

Sir,

In reply to your note of the 20th
instant, I have to inform you that it does not appear that
any letter making complaints or charges against Mr. Bulfinch
has at any time been addressed to this Department by Mr.
William P. Elliot.

I am &c.

Ex 3116

Signed - Louis McLane

John D. Craig Esquire
Superintendent of P. Office.

Department of State

Washington 25 March 1834.

Sir,

In all applications for pa-

wrote under the Act of 1793, it should appear that the applicant is a citizen of the United States. In the case of a native, by some satisfactory proof of his nativity, and in that of a naturalized citizen by some proper attestations of the fact. If, in the opinion of former Secretaries of State, or Attorneys General, the oath of the individual himself has been deemed necessary, it should be, in all cases, insisted upon.

It is understood, that in the case of Mr. Bogardus, the proof of citizenship required by the Office, exists in a former patent, granted to him, and if this be the fact, the proof in the present instance is deemed sufficient.

I am very respectfully, Yours &c.

Signed - Louis McLane Ed 3116

John D. Craig Esquire
Superintendent of the Patent Office,

Department of State
Washington 17 July 1834.

Sir,

A petition having this day been received from Henry Bishop, Messenger of the Patent Office, praying for additional compensation for services rendered by him in recording of certain letters, I have to state, that, agreeably to the late regulations of Mr. McLane, in which I concur, such compensation cannot be allowed, and the Messenger of the Patent Office is not to be employed in doing the duties of a clerk.

I am, Sir, respectfully Your obedient servant.

Signed - John Forsyth Ed 3116

Dr. Craig, Superintendent
of the Patent Office.

Department of State
Washington 29 July 1834.

Sir, I have the honor to state

what portion of the Patents, heretofore granted, remains to be recorded, and what force is now employed in bringing down the recording of patents to this date.

I am, Sir, respectfully, Yours &c.

Exd. 1116

Signed, — John Forsyth

John D. Craig Esquire
Superintendent of the Patent Office.

Department of State
Washington 31 July 1834.

Sir,

I have received your letter of the 30th instant, in reply to mine of the 29th, respecting the recording of patents, and have to state, that the services of Mr. McDonald must be dispensed with, on the 1st of September next, and the patents recorded as issued by the regular Clerks.

I am, Sir,

Your obed^t servant,

Exd. 1116

Signed — John Forsyth

John D. Craig Esquire
Superintendent of the P. Office.

Department of State
Washington 1 August 1834.

Sir,

I have to inform you that Thomas Johns of Maryland, has been this day appointed to a Clerkship in the Patent Office, in the place of Samuel D. Walker deceased.

I am, Sir, respectfully,

Yours &c.

Exd. 1116

Signed — John Forsyth

[Faint, illegible text covering the majority of the page, likely bleed-through from the reverse side.]

Department of State

Washington 16 Sept. 1834.

John D. Craig Esquire
Superintendent of the P. Office.

Sir,

It appearing by your representations made verbally to me, that the patents issued since May last have not yet been recorded, you will employ Mr. McDonald and Mr. Walker in bringing up the arrears, giving to each a separate book, and assigning to each an equal proportion of that service. The patents issued, after the 22^d instant will be recorded in another book, by Mr. Johnson, as prescribed by the regulations for conducting ^{the business of} the Patent Office.

Exd
N.Y.C.

I am, Sir, Your obedient servant

Signed - John Forsyth

Dept of State 16 Sept. 1834

John D. Craig Esq. &c.

Sir,

I enclose a copy of the regulations to be observed in conducting the business of the Patent Office from and after the 22^d instant.

I am, Sir, Signed - J. F.

Copy of regulations to be observed in the Patent Office.

The following arrangement of the gentlemen employed, the distribution of their duties, and the rules for their performance, will be observed in the Patent Office from and after the 22^d day of September 1834.

Doctor Craig, the Superintendent, will have a general superintendence of the Office, and custody of all the books, papers, drawings and models, will conduct the correspondence, and will examine the descriptions or specifications of inventions, and see that they conform to the laws; will revise all writings prepared in the Office, originals and copies, and will lay before the Secretary of State, weekly, a brief report of the letters received, and those written.

patents applied for and those granted, assignments made, fees received, and will render quarterly accounts of moneys received by him, and of moneys placed in his hands for disbursement.

Mr. Johns will record patents as issued, and, in a separate book, transfers of Patent rights.

Doctor Mayo will make out patents, and enter in the index book the patents granted.

Mr. Steiger will copy and record the letters prepared in the office and file those received, will keep the book of Entries, will file the communications presented in the nature of caveats, and register the same in a book kept for that purpose; will register in a book kept for that purpose letters received and written, showing in regard to the former, when received, date, by whom written, purport, and date and purport of answer, and will keep the accounts of the office; and will also perform the duties of a draftsman.

Notwithstanding the foregoing distribution of duties each clerk will, from time to time, perform such other duties as the public service may render necessary. The date of the receipt of each letter, communication or paper is to be noted first, and all letters and other communications received at the office . . . will be acknowledged and acted upon, on the same day when received, unless for good cause to be made apparent, that shall be impracticable.

A report will be made to the Secretary of State, as soon as practicable, of the state of the business, and of the records of the office.

Copy
WJB
The hours of business in the Patent Office will be from 9 o'clock A. M. until 3 P. M. - during which no Clerk will be absent, unless in case of sickness, without special permission.

Signed: J. Forryth

Sept. of State 16 Sept. 1834.

J. D. Craig Esq. Super-
intendent of the P. Office.

Sir.

Department of State
Washington 26 Sept. 1834.

The enclosed draft of in-

formation to persons having business to transact at the Patent Office, has been prepared, to take the place of the "Circular" now used for the same object - You are requested to examine it carefully, and to suggest any additions or alterations, which you may think proper.

I am, &c.

Signed - John Forsyth (Cyd)
(W.F.)

John D. Craig Esq: Sec.
- President of the Patent Office.

Department of State
Washington 1st Oct: 1834.

Sir,

From the conversation had with you yesterday respecting the sum of \$330, which in your weekly account of fees received at the Patent Office, week ending Sept: 27, 1834, is stated to be for patents deposited in Bank, to the credit of the applicant, subject to his order until the patent issues, I understood to consist of fees received by you from applicants for patents, and not paid into the Treasury, because the patents have not yet issued. I understood, also, that a much larger sum is in your hands, received and held under the same circumstances; and further, that if patents should not be granted to any of the parties, from whom these fees have been received, the fees paid by them will be returned, as has already been frequently done.

This whole proceeding on the part of the Patent Office in withholding these fees from the Treasury, in retaining them, subject to the order of the applicant, and ⁱⁿ returning any, where patents do not issue, has, no doubt arisen from a misconception of the law; and if it has been done under any instructions from the Secretary of State, you will refer me to them.

The 11th Section of the Act of 1793 directs, that every inventor, before he presents his petition, shall pay into the Treasury thirty dollars, which money is to be in full for the sundry services to be performed in the office of the Secretary of State consequent on such petition. The words show

clearly that the payment, or the retaining of the fee is not intended to depend upon the issuing of a patent; and if the directions of the statute requiring the fee into the Treasury had been complied with the intention of the law in this respect could not have been frustrated; as the money when once in the Treasury, could not be withdrawn without an appropriation for that purpose.

You will immediately pay into the Bank of the Metropolis, to the credit of the Treasurer of the United States, all the fees now in your hands, taking duplicate receipts for each fee, which receipts should state the name of the applicant, in whose behalf the payments are made.

You will, also, as early as practicable make a report to me on this subject, accompanied by a statement, showing in relation to each payment, when it was received, the name and residence of the person by whom it was paid, and the invention, in respect to which the application was made, and, where the fees have been retained the date of the repayment, and to whom. The statement should show particularly the residence of the parties, as that information will be necessary, if, as you suppose many of the persons by whom these fees were paid, are now dead.

If, hereafter any fees should be transmitted to the Patent Office, the Superintendent will immediately deposit the same in the Bank of the Metropolis, to the credit of the Treasurer of the United States, and take duplicate receipts, of which the Superintendent will transmit to the party by whom the money was sent.

Fees received for copies, and for recording assignments are to be accounted for, and paid into the Treasury at the close of each quarter.

I am, Sir, Your obedient servant,

Signed. John Forsyth

John D. Craig Esquire
Act. Superintendent of the O. Office.
MJC

Department of State
Washington, 3 October, 1834.

Sir,

I enclose copies of a letter of the Postmaster General, and of the resolutions therewith received, and have to request that you will comply with the call therein made, so far as it applies to the Patent Office, for the year ending the 30th of September 1834, and report to me accordingly.

I am, Sir, respectfully, Yours &c.

Signed - John Forsyth

Copy
M.F.

John D. Craig Esquire
Superintendent of the Patent Office.

Department of State
Washington 7 Oct^r 1834.

Sir,

In your account of fees received at the Patent Office for the week ending October 4, 1834, there is an item of "Cash of sundry individuals for Patents \$360". This I presume consists of fees which have been transmitted to you by mail, and which you have paid into the Metropolis Bank, to the credit of the Treasurer, agreeably to very late instructions on the subject. I wish, however, that the account, instead of presenting the aggregate amount, should state each fee separately, giving the date of the deposit in Bank, and from whom received. Accordingly, I return the account, that it may be so made out.

You are instructed in my letter of the 1st instant, to deposit to the credit of the Treasurer, at the close of each quarter, the fees received for recording transfers, and for copies of patents, drawings &c. It will be proper for you, however, to open an account with the Bank of the Metropolis, in your own name as Superintendent of the Patent Office, and to deposit, from time to time, to your credit in that account, such fees of those descriptions as you may receive. And, at the close of the quarter, the amount should be paid into the Treasury by a check in favour of the Treasurer, and a receipt

therefor should be made up your quarterly account with the United States.

I am, Sir, Your obedient Servant

Signed - John Forsyth

Exd.
WJG

John D. Craig Esquire
Superintendent of the B. & O.

Department of State
Washington 9 Oct. 1834.

Sir,

The account of fees received, which accompanied your letter of the 8th instant, is in a form quite satisfactory, and has been filed in lieu of that returned to you on the 7th instant.

I was not, before, aware that the fees for copies, drawings &c were deposited to the credit of an account kept by you in your official character, in the Bank of the Metropolis. As it is stated to be the case, it is unnecessary to open any other account for them with the Bank.

You observe, that a great part of the money sent to the office, in payment for these fees, is in notes from country Banks, which will not be received at the Bank of the Metropolis. By a regulation of the Treasury Department, no bank notes under five dollars are receivable in payments to the United States. It is proper that the same rule should be observed in payments made to this Department. You will, therefore, require all sums under five dollars to be paid in specie, and if any bank notes of five dollars and upwards should be sent to you, which will not be received as cash by the Bank of the Metropolis, you will return them to the persons by whom they were sent, to be exchanged for others.

I am, respectfully, Dear Sir,

Signed - John Forsyth

Exd.
WJG

John D. Craig Esq.
Superintendent of the B. & O.

Department of State
Washington 12 Nov. 1834.

Sir,

I have to reply to your letter of this date, that Mr. Macdonald can be employed to compile the indexes of patents, issued to the 1st of September last, at a salary at the rate of \$400 per annum.

I am, Sir, Your obedient Servant

Signed - John Forsyth

Exp'd
WJL

John D. Craig Esquire
Superintendent of P. Office.

Department of State
Washington 27 Nov: 1834.

Sir,

I enclose an extract of a letter of William P. Elliott Esq: of this city, and have to request that you will communicate to this Department, such information as you may possess relative to the statements therein made, and explanations as are necessary.

I am, Sir, respectfully, Yours &c.

Signed - John Forsyth

Exp'd
WJL

Trans to W. T. Loring Esq: }
Sec. of P. Office, Dept. of State }

John D. Craig Esquire
Superintendent of P. O.

Department of State
Washington 2^d Dec: 1834.

Sir,

In answer to your letter of the 1st instant, I have to inform you that by the 5th section of the Act of Sept: the 15th 1789, copies of records and papers in the Department of State, authenticated under its seal, are evidence of equal authority, with the originals, and that the seal of the United States cannot be affixed to such copies. The letter of Mr. Sullivan is herewith returned.

I am, Sir, Your obedient Servant,

Signed - John Forsyth

Exp'd
WJL

Department of State
Washington 19 Jan^y. 1835.

John D. Craig Esquire
Superintendent of the P. Office.

Sir,

Doctor Mayo having applied for copies of certain regulations relative to the Patent Office, I take occasion to request, that he and each of the other Clerks employed in the Patent Office, be invited to make and retain a copy of the letter addressed to you by the Secretary of State, on the 16th Dec^r. 1833, and of the arrangement for the business of the business of the Patent Office dated the 16th of Sept^r. 1834.

Exd.
Wf. B.

I am, Sir, Your obed^t servant.

Signed - John Forsyth

John D. Craig Esq^r
Patent Office.

Department of State
Washington, 31 Jan^y. 1835.

Sir,

I regret to inform you that the opinion you have expressed, and still entertain, of a salutary rule of this Department, renders it proper to terminate your connections with it.

Exd.
Wf. B.

I am, Sir, Your obed^t servant.

Signed - John Forsyth

J. C. Pickell Esquire
Superintendent of the P. Office.

Department of State
Washington 7 Feb^y. 1835.

Sir,

I have to inform you that Robert Coit, Mills has this day been appointed a clerk in the Patent Office, in the place of Robert Mayo removed.

I am, Sir, Your obed^t servant, Signed, John Forsyth

J. C. Pickett Esq:
 Superintendent of the P. Office

Department of State
 W. 13 July 1835

Sir,

Your letter of the 5th instant, in relation to the case of Barnes, Hills, and Hawkins, has been referred to the Attorney General, and returned by him with the following endorsement: -

"The act of Congress of July 21st, 1793, (sect III) requires the payment of \$50, before the inventor's petition is presented, as a compensation for the services consequent on such petition. The money having been actually paid, in the case within mentioned, with a view to this particular invention, and but one petition, as I suppose, having been presented, and one set of papers made out, I cannot doubt the propriety of issuing the patent. Inasmuch the \$50 may well be considered as having been paid by the petitioner, for the same assignment, or other act, which gave Hawkins an interest in the invention, gave him also, as between him and the Patent Office, an interest in the money paid on account of the fees of office."

Signed - B. F. Butler Atty General

I am, Sir, Your obed^t serv^t

Signed - John Forsyth

Exd
 W. J.

J. C. Pickett Esq:
 Superintendent of the P. Office

Department of State
 W. 3 April 1835

Sir,

I send for your information a printed copy of a notice dated the 1st instant to persons having business to transact at the Patent Office.

I am, Sir, Your obed^t serv^t

Signed - John Forsyth

Exd
 W. J.

J. C. Pickett, Esq.
Superintendent of the P. O.

Department of State
W. 6 April 1835.

Sir,

Mr. Steiger's removal, which has been sometimes suspended at your request, will be carried into effect tomorrow. The duties of draftsman &c. heretofore performed by him, are to be assigned to Mr. Mills, and the vacant clerkship will be filled by the appointment of Mr. Roane of Virginia, who will perform the duties now entrusted to Mr. Mills.

I am, Sir, Your obed^t servant,

John Forsyth.

J. C. Pickett Esq.
Superintendent of the P. O.

Department of State
W. 6 April 1835.

Sir,

The money mentioned in your letter of the 4th instant, is within the directions given by me to the Superintendent of the Patent Office on the 1st of October last. I can authorize no other disposition to be made of it, either in whole or in part, than its payment into the Treasury. Where the names of the persons from whom it was received are known, let that course be immediately pursued; and the receipts can be sent when their residence is known. Where the names are unknown, let an examination be made to ascertain them, and the same course afterwards pursued.

I am, Sir, Your obed^t Serv^t
Signed, John Forsyth

J. C. Pickett Esquire,

Superintendent of the Patent Office.

Department of State,

22 April, 1835.

Sir,

I have to reply to your letter of the 21st ult that the unpatented models not being public property, no expense can be incurred in repairing them; but that such tools as are required to repair models belonging to the United States, may be purchased out of the contingent fund of the Patent Office.

I am, Sir, Your obedient servant,

Signed - John Forsythe. *J.F.*

J. C. Pickett Esq.

4th Auditor, &c.

Department of State

W 30 May, 1835.

Sir,

I have to request that you will transfer such funds as are in your hands, belonging to the Patent Office, to Mr. Johns, the acting Superintendent.

I am, Sir, Your obedient servant,

Signed - Ashbury Dickins, A. Sec. *A.D.*

Henry L. Ellsworth, Esq?
Hartford, Connecticut.

Department of State
W. 12 May, 1835.

Sir,

You are hereby appointed Superintendent of the Patent Office, at a salary of \$1500. as at present fixed by law.

The leave of absence requested in your letter of yesterday, is granted, with our understanding that you will repair earlier to Washington, if your affairs will permit.

Your salary will commence when you leave home for this City to enter upon the duties of the office.

I am, Sir, your obedient servant

Signed - Ashbury Dickins, Acty. Secy.

Exd.
W.C.

Henry L. Ellsworth, Esq?
Superintendent of the Patent Office.

Department of State,
W. 7 August, 1835.

Sir,

Your letter of this date has just been received. I understood from Mr. Dickins that, during my absence, it was represented to him by Mr. Johns, that, in consequence of J's employment as acting Superintendent, the business of the Patent Office could not be kept up without additional aid, and that Mr. Johns was accordingly authorized to employ such aid, until, by your return, he should be enabled to resume his customary duties.

For the services rendered by the person employed under his authority, during your absence, he will be paid out of

Mr. John's salary; for his subsequent services he must be paid out of the consolidated funds of the Patent Office.

I am, Sir,

Your obedient servant,

Signed - John Forsyth.

H. L. Ellsworth Esquire

Superintendent of the Patent Office.

Department of State

W. 11 August, 1835.

Sir,

Your letter of yesterday has been received. The arrangement mentioned by you as having been adopted for improving the conditions of the Patent Office are satisfactory. The manner in which the patents have been recorded, as described by you, is disapproved, and must be immediately discontinued. The record should contain an exact copy of the entire patent. To save time and labor in recording, printed forms, as suggested by you, may be used, as far as may be practicable, and consistent with an accurate record, and they may be bound, from time to time, when sufficient for a volume. A copy of the printed form should be submitted to me, before it is adopted. The information contained in the weekly reports to the Secretary of State was deemed necessary to the proper supervision of the Patent Office. Although I have entire confidence in your superintendence, yet I cannot dispense with any aid which these reports will afford in performing my own duties in regard to the office. It is probable that these reports will not be found so onerous as you suppose; as they will, in fact, consist of nothing but transcripts of entries which will be made in the book of the Office.

I am, Sir, Your obedient servant,

Signed - John Forsyth.

Henry L. Ellsworth Esq.
 Superintendent of the P. Office.

Department of State,
 W. 12 August, 1835.

Sir,

I have to reply to your letter of the 10th instanc. that I have appointed Mr. Hobbs,.... arbitrator in the case there in mentioned, and that he will not be entitled to compensation by the United States.

I am, Sir,

Your obedient servant, *Ed*
 signed - John Forsythe. *Wf*

Henry L. Ellsworth Esq.
 Superintendent of the Patent Office.

Department of State
 W. 22 August, 1835.

Sir,

I have received your letter of yesterday. The certificate which you have been requested to furnish cannot be given. It is altogether unusual for the Department to certify that particular acts have not been done, or that particular papers have not been placed on its records. And even, if such a certificate were granted, it would not be evidence; as the laws making copies of records, or papers authenticated under the seal of the Department, evidence, could not apply to it.

It would even be hazardous to make, in an official letter, the unqualified statement contained in the proposed certificate. All that can be safely said on the subject is, that it does not appear by such an examination as you have been able to make, that any other letters patent have been granted to do, or that any assignment by do. has been recorded in this office. Such information you are at liberty to communicate verbally or by letter. The certificate which had

been prepared for my signature is returned.

I am, Sir, Your obed^t. servant,

Signed - John Forsyth.

Ex^l 2
WJF

Henry L. Ellsworth Esq^r
Superintendent &c.

Department of State
W. 22 August, 1835.

Sir,

Your letter of yesterday, mentioning the indisposition of Mr. Johns, and the pressure of business in the Patent Office, has been received, and until the health of Mr. Johns is restored, you are hereby authorized to employ Mr. Canton, allowing the same compensation which is received by that gentleman.

I am, &c. signed, John Forsyth.

Ex^l 2
WJF

H. L. Ellsworth Esquire,
Superintendent of the P. Office.

Department of State
W. 29 Sept^r 1835.

Sir,

I have to reply to your letter of this date, that leave of absence is granted, agreeably to your request, and that Mr. Johns will perform the duties of Superintendent till your return.

I am, Sir, Your obed^t. servant,

Signed - Ashbury Dickins, &c. Sec.

Ex^l 2
WJF

H. L. Ellsworth Esq^r
Superintendent P. O.

Department of State
W. 8 December, 1835.

Sir,

Upon the representation contained in your letter of the 5th inst. received yesterday, the duties, other than those of draftsman, heretofore assigned to Mr. Mills, will be transferred to some

of the other clerks; and you will be pleased to report to me an arrangement for that purpose.

I am, Sir, Your obedient servant.

Signed - John Forsyth.

Exd
Wf

H. L. Ellsworth Esquire

Superintendent P. O.

Department of State

W. 9 December, 1835.

Sir,

I have to reply to your letter of the 5th inst. that the Department has no authority to dispense with the payment of the fee in the case to which your letter refers.

I am, Sir, Your obedient servant.

Signed, - John Forsyth.

Exd
Wf

H. L. Ellsworth Esquire

Superintendent of P. O.

Department of State

W. 10 December, 1835.

Sir,

As proposed in your letter of yesterday, the duties heretofore assigned to Mr. Mills, other than those of draughtsman, are transferred to Mr. Johns, and Mr. Mills will render such other services, as the business of the office may, from time to time, require, and his duties permit - such as recording patents, as is now required by Mr. Johns.

You will be pleased to explain why the regulation requiring Mr. Johns to record the patents, has not been fully complied with.

Henceafter no person must be paid out of the contingent fund for services which can be performed by the clerks in the office.

I am, Sir, Your obedient servant.

Signed - John Forsyth

Exd
Wf

Henry S. Ellsworth,
Superintendent Patent Office

Department of State

W. 11 December, 1835.

Sir,

Your letter of this date has just been received. I was aware that Dr. Mays was paid out of the fund appropriated for recording patents, and not out of the contingent fund of the office. What I desired to have explained was, why Mr. Johns had not performed the duty assigned to him; and why any other persons should have been paid for performing a portion of those duties, seeing, (as is presumed from your proposing to assign other duties to him) that his time was not fully occupied. Your letter suggests another enquiry - why Mr. Johns should have been employed in making out patents - that being part of the duty assigned to Mr. Roun.

I am, Sir, Your obedient servant,

Exd.
H. S. E.

Your letter of yesterday was also received. My explanation about the employment of extras and out of the special fund, is not satisfactory, but without looking to the past, I deem it proper to apprise you that, in future, the regulations and orders of the head of the Department are to be strictly observed and carried into effect. If obstacles not foreseen by him occur, fulfilling his directions, they should be promptly made known to him by the Superintendent.

I am, Sir, Your obedient servant.

Signed - John Forsyth

H. S. Ellsworth Esq.
Superintendent Patent Office

Department of State, W. 17 Dec. 1835.

Sir,

Your letter of the 16th instant was received.

and to day. The Superintendent of the Patent Office is authorized to employ other aid in recording patents, only when the force of the Office is insufficient for that service. That such aid was employed, at other times before your appointment, and that you continued to follow the practice of your predecessor, is no explanation, why such aid was employed. But this appears to be the substance of all that your letters have contained on the subject. It is not perceived that further correspondence, can be necessary, you will therefore, suffer the subject to rest where it now stands.

I am, &c.

Signed - John Forsyth

Exd.
MJC

H. L. Ellsworth Esquire

Superintendent P. Office

Department of State

W. 30 December, 1835.

Sir,

Leave of absence is granted agreeably to the request in your letter of this date.

I am, Sir, Your obedient servant.

Signed, - John Forsyth

Exd.
MJC

H. L. Ellsworth Esquire

Superintendent P. Office

Dept. of State W. 6 January 1836.

Sir,

A duplicate of the "list of patents which expired in 1835" is required for the use of the House of Representatives.

I am, Sir, Your obedient servant.

Signed - John Forsyth

Exd.
MJC

H. L. Ellsworth Esquire

Superintendent Patent Office

Dept. of State W. 6 January 1836.

Sir,

The "list of Patents granted during the year 1835"

Henry L. Ellsworth
Superintendent P. Office

Department of State
W. 11 December, 1835.

Sir,

Your letter of this date has just been received. I was aware that Dr. May's was paid out of the fund appropriated for recording patents, and not out of the contingent fund of the office. What I desired to have explained was, why Mr. Johnson had not performed the

H. L. Ellsworth Esquire
Patent Office

Department of State
W. 15 December, 1835.

Sir,

Your letter of yesterday has been received. The explanation about the employment of extras and out of the special fund, is not satisfactory, but without looking to the past, I deem it proper to apprise you that, in future, the regulations and orders of the head of the Department are to be strictly observed and carried into effect. If obstacles not foreseen by him occur, fulfilling his directions, they should be promptly made known to him by the Superintendent.

I am, Sir, Your obedient servant,
Signed - John Forsyth

H. L. Ellsworth Esq.
Superintendent, Patent Office

Department of State, W. 17 Dec. 1835.

Sir,

Your letter of the 16th instant was received.

aid to day. The Superintendent of the Patent Office is authorised to employ extra aid in recording patents, only when the forces of the Office is insufficient for that service. That such aid was employed, at other times before your appointment, and that you continued to follow the practices of your predecessor, is no explanation, why such aid was employed. Yet this appears to be the substance of all that your letters have contained on the subject. It is not perceived that further correspondence, can be necessary, you will therefore, suffer the subject to rest where it now stands.

I am, &c.

Signed -

John Forsyth

Exd.
W. C.

H. L. Ellsworth Esquire
Superintendent P. Office

Department of State

W. 30 December, 1835.

Sir,

Leave of absence is granted agreeably to the request in your letter of this date.

I am, Sir, Your obedient servant,

Signed, - John Forsyth

Exd.
W. C.

H. L. Ellsworth Esquire
Superintendent P. Office

Dept. of State W. 6 January 1836.

Sir,

A duplicate of the "list of patents which expired in 1835" is required for the use of the House of Representatives.

I am, Sir, Your obedient servant,

Signed - John Forsyth

Exd.
W. C.

H. L. Ellsworth Esquire
Superintendent Patent Office

Dept. of State W. 6 January 1836.

Sir,

The "list of Patents granted during the year 1835"

1835, is herewith returned, that it may be made to conform with the resolution of the 2nd of April 1830, which requires that it should contain an alphabetical list of the names of the Volunteers.

Exd
N.B.

I am, Sir, Your obedient servant.
Signed - John Forsyth

H. L. Ellsworth Esq.

Superintendent P. O.

Dept. of State, W. 9 January 1836.

Sir,

Your letter of the 6th instant, requesting a passport for Mr. Bacon was received on the 8th. Before a passport can be granted Mr. Bacon, the application must be accompanied by such evidence as may show him to be a citizen of the U. S. with a description of his person embracing the following particulars, to wit: age, years, stature, feet-inches, forehead, nose, mouth, chin, hair, complexion: face is also required, but may be sent to the Dept. after the passport is issued.

Exd
N.B.

I am, Sir,

Signed - John Forsyth

Henry L. Ellsworth Esquire

Superintendent P. Office.

Department of State

W. 20 January, 1836.

Sir,

I have to inform you that, if the pressure of business in the Patent Office be such, that necessary copying cannot be prepared by persons, at present therein employed, you are authorized to employ others to assist them, to be paid out of the contingent fund of the Patent Office.

Exd
N.B.

I am, Sir, Your obedient servant.
Signed, - John Forsyth.

Henry L. Ellsworth Esq:
Washington.

Department of State
W. 16 March, 1836.

Sir,

Enclosed is the passport requested by you for Ebenezer Jackson Jr. with his wife and daughter. I will thank you to have the blanks filled up with the description of Mr. Jackson's person and a copy thereof forwarded to his Department.

I am, Sir, Your obed^t. servant. (Cox)
Signed. - John Forsyth. (J.F.)

Henry L. Ellsworth Esquire
Superintendent of the P. Office.

Department of State
W. 1 April, 1836.

Sir,

In answer to your letter of the 31st ult. I have to inform you that the President, to whom it was referred, has determined that another Commissioner must be selected to treat with the Indians, at Fort Wayne.

I am, Sir, Your obed^t. servant. (Cox)
Signed - John Forsyth (J.F.)

H. L. Ellsworth Esq:
Superintendent P. Office.

Department of State
W. 2 June, 1836.

Sir,

In answer to your letter of the 1st instant, I have to inform you that, if the pressure of business in the Patent Office be such, that the necessary copying cannot be prepared by persons already employed, you are authorized to employ others to assist them, to be paid out of the contingent fund.

I am, Sir, Your obed^t. servant. (Cox)
Signed - John Forsyth. (J.F.)

H. L. Ellsworth Esq.
Superintendent, P. Office.

Department of State
W. 11 Jan. 1836.

Sir,

In answer to your letter of the 9th instant, I have to inform you that I appoint Joseph W. Horner Esq. of the Exd. Post Office Department, as arbitrator in the case to which W^h you therein refer.

I am, &c.

Signed - John Forsyth.

H. L. Ellsworth Esq.
Washington, D. C.

Department of State
W. 6 July 1836.

Sir,

The President having appointed you, by and with the advice and consent of the Senate, Commissioner of Patents I herewith enclose your Commission, the receipt of which you will be pleased to acknowledge.

I am, Sir, Your obedient servant.

Signed - John Forsyth.

P. S. Should you accept the Commission, you will be pleased to inform the Dep^t of the name of the State or Country in which you were born. Same to Cary A. Harris, Washington D. C. - S. D. King, D^c - M. Fitzhugh, D^c - J. M. Moore, Exd. D^c - Hudson M. Gooden, (sent to Maj. Garland, War Dep^t.) Wyllys W^h Silliman, sent to Hon. Lewis Cass, Sec. of War. &c.

H. L. Ellsworth Esq.
Commissioner of Patents.

Department of State
W. 11 July, 1836.

Sir,

I return the device for a seal for the Patent

Office, which accompanied your letter of the 8th instant. It has been laid before the President and approved by him with the addition of the words. Seal of the Patent Office.

I return, also, the draft of a form for the letters Patent. It seems to be sufficient for all purposes. The drawings which accompanied your letter are likewise returned. These, with the form of the letters patent, were submitted to the President's inspection.

I am, Sir, Your obedient servant,

Signed - John Forsyth.

(Exd)
WJC

Henry L. Ellsworth Esq^r

Commissioner of Patents.

Department of State

W. 26 July. 1836.

Sir,

In answer to your letter of the 22nd instant, I have to inform you that the Secretary of State has no authority to allow any such account as that which you therewith transmit. The account is herewith returned.

I am, Sir, Your obedient servant

Signed - John Forsyth.

(Exd)
WJC

H. L. Ellsworth Esq^r

Commissioner of Patents.

Department of State

W. 8 September, 1836.

Sir,

Your letter of the 6th instant, enclosing that of Mr. J. Knight of the 30th ulto, has been received. It appears that the claims in the case of the brig Belisarius to which he refers, were not allowed. The claimants were, George Lane, attorney of Samuel Harris, Administrator of A. Armstrong, and the trustees of the New York Col. Insurance Company, and New York Fireman Insurance Company. Copies of pa-

pass in the case, if he wishes them, will be prepared and sent to Mr. Knight, the charges for which will be at the rate of ten cents the hundred words.

I am, Sir, Your obedient servant.

Signed - John Forsythe.

Exd,
W.F.C.

Henry L. Ellsworth Esq.

Commissioner of Patents

Sir,

Dept. of State, W. 22 Sept. 1836.

In answer to your letter of the 20th instant, I have to inform you that the Department is not authorized to allow compensation for services rendered necessary by your absence from the Patent Office on private business.

I am, &c. Signed - John Forsythe

Henry L. Ellsworth Esq.

Dept. of State, W. 15 Nov. 1836.

Sir,

Your two letters of the 13th instant have been received, requesting passports for Mrs. Lucinda M. Mitchell and her two children. A passport for Mrs. Mitchell was forwarded yesterday to Samuel Wheeler Esq. New York. It is necessary in all cases, before a passport is granted, to have a description of the person, in Mr. Day's case you have not furnished one, however to prevent delay a blank will be sent to New York, to the Collector of the customs, S. S. Esq. who will take his description and deliver him the passport when called for.

Exd,
W.F.C.

I am, Sir, Your obedient servant.

Signed - John Forsythe.

Henry L. Ellsworth, Esq.

Comm. Patent Office

Department of State, W. 17 Dec. 1836.

Sir,

Sir,

Reur. letter of the 28th Oct. last, making enquiry as to the construction to be given to that part of the Patent Law of the last session, which related to the issuing of new patents in the place of the old ones surrendered, was referred by this Department to the Attorney General, and I now enclose a copy of his opinion upon the subject. E. G. d.
I am, &c. Signed - John Forsyth J. G. d.

Attorney General's Office

7th. July 1845

Sir,

I have had the honor to receive your communication, referring to me a letter from the Commissioner of Patents of the 10th Ult^o, and asking my official opinion on the question stated by him.

The Commissioner states the question to be: "Can an Inventor under the 6th Section of the Act entitled, 'an act in addition to an Act to promote the progress of science and the useful arts' approved March 3^d 1837, assign to others before the issue of Letters Patent, any interest in his invention, less than the whole?"

The section referred to authorizes the issues of Patents, "to the assignee or assignees of the inventor or discoverer, the assignments thereof being first entered of record, and the application therefor being duly made and the specification duly sworn to by the inventor." This was enabling Statute. Prior to its passage, Letters Patent could only issue to the Inventor, and after they were issued, they were assignable so as to give the assignee in whole or in part legal rights. The Act of 1837 gave the right to the assignee or assignees to have the Patent issued to him or them, and not to the inventor. Before its passage it had been held by

Mr. Justice Washington, that the effect of an assignment previously to the grant of the Patent, was to constitute the Patentee, a Trustee for the assignee to the extent of his assigned interest, a right to be enforced only in a Court of Equity.

The forms of proceedings prescribed by the previous laws, the oath and the directions as to the issue of the patent, and the terms of the Patent itself, all clearly show in my opinion, that the patent was to issue only to the Inventor if living.

The 11th section of the Act of 4th July 1836, made patents assignable in law, either as to the whole interest, or any undivided part thereof, and required the assignment to be recorded in the patent office. This power of assignment however applied only to the Patent and not to the right to sue out the Patent. The Act of 1837 authorized the issue of the Patent to the assignee or assignees under an assignment made before the Patent was granted. The practice under this law has been to confine it to the cases within its terms to cases of assignment of the whole interest. It appears to be very clear that the section was framed in view of such cases only. The patent is to issue to the Assignee or assignees, and not to the inventor and his assignees. The inventor is required by the 6th Section to swear to the specification, and no other duty is imposed on him or right reserved to him. The cases within its operation cannot be enlarged by reference to the 11th section of the Act of 1836. But on the contrary, the construction adopted at the Patent Office, is strengthened by the fact, that while the 11th section embraces cases of partial as well as general assignment, the 6th section of the Act of 1837, is confined to cases of assignment of the whole right. Understanding the enquiry of the Commissioner to be, whether partial assignments before issue, entitle the partial assignee to have the patent issued to him to the extent of his interest, within the meaning of

the 6th section of the Act of 1837, I am of opinion, that the usage of the Patent Office is correct; that the Patent must issue to the inventor, unless proof of a total assignment is offered according to the terms of that section, and then to the assignee or assignees, and that the law does not provide for the case of the issue of a patent, to the inventor and an assignee of a part interest.

If I had a doubt upon the subject, I would advise that the practice of the Patent Office should be adhered to, until Congress shall interpose and provide for the case; for a Patent issued otherwise, might in a judicial investigation be held to have issued contrary to law, and the rights of the Patentees be materially affected. The act of 1837 does not impair the equitable rights which an assignee before issue of Patent had, and his interests will be protected by the Courts.

I have the honor to be,

Respectfully,

Sir,

Your obedient servant,

J. Y. Mason

Exp
8/16

76
To Honorable Lydell
Sir.

During the absence of Edmund Burke
Commissioner of Patents, you are hereby appointed to take
charge and to execute the duties of his Office.

James H. Polk

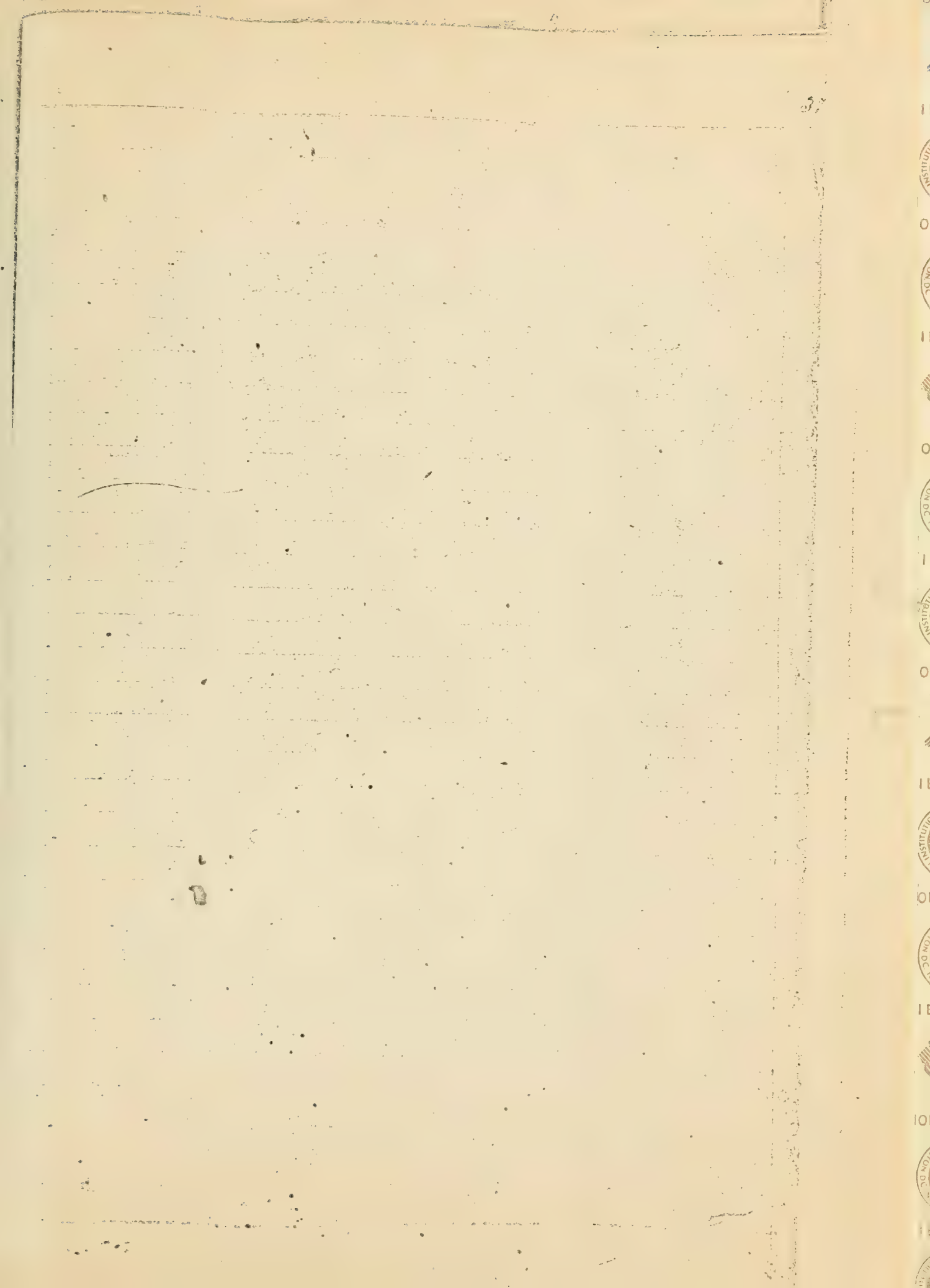
Washington Aug. 26. 1846

To Edmund Burke, Quice 3 Department of State
Commissioner of Patents Washington, 7th September, 1848
Sir.

You will herewith receive the opinion of the
Attorney General, upon the points presented in your letter
to this Department, under date the 24th April, last, relative
to applications for patents for improvements in the Electric
Telegraph, one by Prosper More, an American citizen,
and the other by Alexander Bane, a British subject.

(see page 385 for opinion)

I am, Sir, very respectfully
Your obedient servant
John Quincy
Acting Secretary of State.



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